

Can. P.
Case No. 982

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EVIDENCE

GIVEN BEFORE THE COMMISSION APPOINTED TO INVESTIGATE
CERTAIN MATTERS IN CONNECTION WITH THE

LACHINE CANAL

PRINTED BY ORDER OF PARLIAMENT



OTTAWA

PRINTED BY E. A. DAWSON, PRINTER TO THE QUEEN'S HONORABLE
SECRETARY OF STATE

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1894

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THE UNIVERSITY OF CHICAGO PRESS
CHICAGO, ILL. 60637
U.S.A.

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EVIDENCE

Of Messrs. Schreiber, Parent, Kennedy, Davis, Beemer, Curran, Drummond, Ogilvie and Lesage, given before the Commission appointed to investigate certain matters which have arisen in connection with the Lachine Canal.

LACHINE CANAL INQUIRY.

MONTREAL, 20th July, 1893.

COLLINGWOOD SCHREIBER, deputy minister of railways and canals, on being duly sworn, deposed as follows:—

By Mr. McLeod:

Q. You are the chief engineer of railways and canals?—A. Yes.

Q. And also deputy minister of the Department of Railways and Canals?—Yes.

Q. When were you appointed deputy minister of railways and canals?—A. By an order in council of the 30th November last.

Q. What was the state of the work on the Wellington bridge at that time?—A. Well, there had been certain instructions given as to how the work was to be conducted with regard to the Wellington street bridge proper, but as to the Grand Trunk bridge the negotiations were not completed as to how the work should be carried on.

Q. Who prepared the plans and estimates for these bridges?—A. I am not able to say that. All I can say with regard to that is this: That not being able to find any in the department, I made inquiry in Montreal here and they sent them up from this office to me. I suppose they were made here, but I cannot say. Mr. Spence, who is in charge of the draughting office in Ottawa, said he knew nothing about them when I inquired.

Q. Can you tell us what those plans embraced when you got them, what works did they contemplate?—A. They contemplated a centre pier under the Wellington street bridge, two abutments under that bridge at the ends, raised abutments, and two abutments for the Grand Trunk bridge.

Q. Complete abutments to the Grand Trunk bridge?—A. Complete abutments.

Q. Of course the pier would have to be remodelled for the Grand Trunk, the pivot piers would have to be remodelled also?—A. There was nothing with regard to that, so far as I recollect. I think any change there was in that, I made it. I think there were two courses taken off and relaid.

Q. Was there any provision made in that estimate for taking down the old masonry and the old crib-work?—A. So far as the estimate is concerned, I know very little about it. It was made before I had any connection with the canal. I only know what it amounted to.

Q. Did you find it necessary to make any change in the plans and estimates?—A. The only change I made in the plans was that I reduced them by about 600 yards of masonry. I thought they were undertaking more work than was necessary to make the bridges substantial and what was required.

Q. To what depth was it intended to make those foundations on which you reduced the quantity?—A. Well, I can only speak from hearsay as to what was done before I took charge. I do not exactly know what the depths were. I only know that the minister told me that first of all the bridges were to be built at a certain depth, I do not remember how many feet down, and afterwards it would require a certain estimate of cost, and that afterwards we asked for an increased depth. I wished to know what it would cost to carry out such a plan, and Mr. Trudeau, who was then chief engineer, was not able to give the information himself; I think he sent to Mr. Parent.

Q. These changes were made after your appointment as chief engineer?—A. The changes in the depth of the foundation? I am not sure how that is. Whether there were two changes or not, I am not sure. I do not know what that increased depth was intended to be, which the minister speaks of. My impression is that there must have been some difference between that and the last order.

Q. Was the estimate prepared sufficient to cover the expense of the increased depth?—A. I think the estimate was too low in any case.

Q. In what respect do you think it was too low?—A. Well, I think when you come to look at it, that the \$175,000—\$195,000 as it would be with the extra depth—was not sufficient to cover the cost of constructing a centre pier, a pivot pier and the abutments, together with the excavation and removal of the old crib-work.

Q. How much do you think that falls short of what it ought to cost?—A. I can only speak as to that from the quantities which I think Mr. Papineau prepared afterwards, and, judging from that, I should think \$225,000 to \$250,000 would be a good price. That is my idea.

Q. The total price of the whole work?—A. It appeared so to me.

Q. When did you first visit the work?—A. I think it must have been early in January, the first time I was down in Montreal, just before the session. They were then just commencing to deliver stone at the flour sheds. I do not remember the exact date.

Q. There was no work going on then?—A. They were just commencing.

Q. Then I suppose the force would be small at that time?—A. Very small.

Q. Can you tell at what date you subsequently visited the work—what was the next time?—A. I think the next time was the 6th April. I was down for about an hour.

Q. The works were pretty well advanced at that time?—A. Yes.

Q. Did you notice how the works were being carried on at that time?—A. Yes, I thought the force was too large and I spoke to Mr. Parent about the matter. I may say that before that my attention had been drawn to it by an article in the *Montreal Gazette*, I think it was, and also a report came up from parties that there was a very large number of men, I think 1,300. Upon that I wrote to Mr. Parent. I have not the correspondence with me, but I wrote to him upon the subject, stating, in effect, that I hoped the reports were very greatly exaggerated, &c. I am only giving you the general tenor of the letter. I said if it were true that that number of men were employed, they must be very much in each other's way, and, instead of advancing the work, must be retarding it, or something to that effect. I think it was about the second week in March that I wrote that.

Q. Did it appear to you that the men were crowded and impeding each other?—A. Yes; there were certainly too many men, no doubt about that. And, as I tell you, I spoke to Mr. Parent about it, and gave him instructions to see that there were only a sufficient number of men employed to carry on the work to advantage.

Q. Then you did not see the work between that time and the previous time in November; in the interval you had not been in Montreal?—A. I think from January until the 6th April, I was not down here. Parliament was in session and I was not able to come.

Q. Was there any stone cutting going on at that time in the sheds? On the 6th April?—A. There must have been.

Q. Did you visit the sheds?—A. I do not think I did. I do not think I was round to the sheds. I came down by the C. P. R., which was late, and I did not get in until about four o'clock, and I had to leave again by the Canada Atlantic to go back to Ottawa, so that I could not go down at that time. I only went down to the bridge, that is my recollection.

Q. Did you speak to Mr. Parent at that time about the works?—A. Yes.

Q. Did he seem to be conversant with the progress of the work?—A. I found him at the bridge.

Q. Did he appear to have a knowledge of the progress of the work, the number of men employed?—He reported to me from time to time by telephone to Ottawa, which I think was a mistake now—reported to me from time to time the progress making with the works. But up to that time he did not give me the number of men that were employed.

Q. Did he not give you any weekly reports of the number of men employed?—A. No, he only reported every other day or so, by telephone. There is a telephone from Montreal to Ottawa, and in that way he reported. But I must say it is not a satisfactory way, because you have nothing on record.

Q. Did he report by telephone the number of men employed?—A. He did not, I think, up to that time, but subsequently he did. But there must have been some misunderstanding either in the boy in my office who received the message or somewhere else, there must have been a misapprehension as to the number of men, because on one occasion he reported six hundred men and on another occasion four hundred men. But according to the pay rolls there must have been a number very much in excess of that.

Q. It did not agree with the pay-lists?—A. No.

Q. Did it come under your observation that there was any waste of material when you visited the canal in April, or could you have told?—A. No, I could not have told. I would not know it, going down in that way.

Q. Did you notice any men idling?—A. I noticed the men on the works. I noticed they were crowded, and not all employed as they should be.

Q. Were they actually idling?—A. Yes, some of them were actually doing nothing.

Q. Did you notice any timber being removed or stone removed from the neighbourhood of the work?—A. I did not see any stone being taken from the bridge, but I saw stone being brought to the bridge.

Q. For the masonry?—A. Yes; I do not know that that applies to the 6th of April. I was down two or three times afterwards and saw stone coming to the bridge.

Q. On what other times did you visit the bridge after the 6th April?—A. I was there again on the 20th April.

Q. Did you then notice any great number of men?—A. Yes; there were too many men then, and I remonstrated with Mr. Parent that he had not had the force reduced. He promised then to see to it, and it was after then that he reported by telephone the number of men, after the 20th.

Q. Was there any stone cutting going on then at the sheds?—A. Yes.

Q. For both bridges?—A. I could not tell you. I do not know that there was any division line between the two bridges as regards stone cutting.

Q. But they kept the time separate, so we have been informed by witnesses. Was there any cutting going on for lock No. 1?—A. I could not tell you whether there was at that time. Of course I know there was stone cut for lock No. 1, but I could not say whether it was then being done.

Q. You could not say whether the force was too large for the stone cutting then in progress?—A. I could not tell you as to that, so far as I was able to see.

Q. At that time did you notice any material wasted, or timber taken away?—A. No, nothing about any timber taken away. I did not see anything.

Q. Did you try to keep yourself informed from time to time of the progress of the work?—A. Mr. Parent reported, as I tell you, by telephone every few days.

Q. What instructions did you give to Mr. Parent when you first commenced the work? It is embodied in one of your letters, I think?—A. Yes; I think they sent the correspondence down to you.

Q. Was he in complete charge of the work?—A. Mr. Parent had complete charge of all the works in connection with these canals at Lachine, Chambly and Beauharnois.

Q. Including the work on the bridges?—A. Yes.

Q. Could he have kept you better informed, or in a better way than the way he adopted, of the progress of the work?—A. Well, what he gave me was the advance being made with the work from time to time, and on two occasions the number of men employed, the two occasions I have named. But either the message must have been incorrect, or he could not have been fully informed himself.

Q. He had full control over Mr. Kennedy, the superintendent?—A. Yes.

Q. Mr. Kennedy was completely under his instructions?—Certainly.

Q. Was there any specification for the maintenance, or the works generally? I do not mean the superstructure?—A. Whatever specification was prepared; was prepared down here. Apparently nothing was prepared in Ottawa that I could find. This was all done before I had anything to do with the canal.

Q. Perhaps there is a general specification for maintenance?—A. I suppose so.

Q. The masonry would be under the usual form?—A. Yes; it is the usual kind of masonry for bridges. There would not be the same detailed specifications as there would be if it was under contract.

Q. What was the duty of the assistant engineer under Mr. Parent?—A. It was to carry out Mr. Parent's instructions with regard to laying out the work, &c.

Q. And to see to the quality of the work?—A. Well, if it had been by contract he would have to attend to the quality of the work, but as it is under our own officers and he supposed to be a skilled man, &c., he would not have much to do with that. He would not interfere with the work unless he saw something radically wrong going on, which you would not expect of our own officers.

Q. He should have reported the number of men employed to Mr. Parent?—A. I suppose so, if he was under Mr. Parent's instructions. No doubt he would inform Mr. Parent daily of the number of men employed. But I may say this, that I instructed Mr. Parent to give this and that special attention, and to visit the works four or five times a day, so that he might know personally what was going on.

Q. You have been a contractor yourself?—A. Yes.

Q. Can you give us an idea what a cofferdam and unwatering would cost?—A. I am not in a position to give an estimate of that, for this reason: They tell me there were several accidents in connection with these cofferdams, that they broke away. I was not present to see that. I am not in a position to give that exactly. I could only give an estimate.

Q. But knowing that the water was let out of the canal, could you give us an idea?—A. I think the cofferdam should be very heavy.

Q. What would be about the price of a cofferdam?—A. I cannot answer that right off. I may answer that to-morrow.

Q. Did the estimate include the price of a cofferdam?—A. My recollection of the estimate is this: That it was to be a certain figure if cofferdams were to be built, and a certain other figure if the water was to be let out of the canal, that is my recollection.

Q. What do you think the excavation should have cost, how much a yard?—A. A dollar or a dollar and a half, I think, would be a reasonable figure.

Q. To be lifted up about 30 feet?—A. I think so.

Q. And what should the masonry cost?—A. I should think \$25 a yard would be a pretty liberal price.

Q. With the rock ashlar as used there?—A. Yes; and taking into consideration the season of the year.

Q. What would be about the price of the crib work, the square timber and stone?—A. I should think about \$2 a yard, to \$2.50, including stone.

Q. Do you include the iron bolts at the joints?—A. Everything. That includes the stone filling.

Q. What is a fair price for cutting the stone of lock No. 1?—A. Well, I would have to look at the stone to see how many pieces were cut. I suppose it would be 16 or 17 cents a superficial foot.

Q. How many masons could work to advantage in a wall 30 feet long and about 9 feet thick, an ordinary abutment?—A. One derrick?

Q. One derrick.—A. It would take about three builders to a derrick.

Q. And how many assistants for each mason?—A. One to each mason.

Q. Supposing the stone to be close at hand around the buildings, how many other assistants would it require to move the stone up, and how many horses?—A. That I could not tell you.

Q. Of course, it is extravagant to have too many masons on a building, they have to make so many joints to fit the stone?—A. If there are too many they would be in one another's way.

Q. And it would be very costly to get the joints to fit?—A. I do not understand you.

Q. They would have to make more close joints; they would have to fit the stone at different places?—A. I do not understand the question. Do you say that because there are a number of masons, therefore, the joints would have to be finer?

Q. Not at all. But there would be more joints to fit if there were more masons. Supposing they commence at too many different places.—A. Oh, you could not do that.

Q. That is one reason that they cannot have so many masons, because it costs extravagantly?—A. It would make much more work, certainly.

Q. How were the men obtained for this work? There was a contract, I understand, with Mr. St. Louis to supply the labour. How could men have been obtained for the work?—A. Do you mean under that contract? Under that contract they were to be obtained upon requisitions from the superintendent, under the general directions of Mr. Parent, the superintending engineer.

Q. So that any men required for the work should have been got under requisition?—A. That is to say, supposing the superintendent required ten men, he would call upon Mr. St. Louis to send them, and Mr. St. Louis, under his contract, would be bound to furnish those ten men. If any of them turned out to be unsuitable for the work, it was the duty of the superintendent to reject them and call for others in their places.

Q. But the men should have been provided only on requisition?—A. Certainly. It was entirely in the hands of the superintendent to requisition a man.

Q. Then it was Mr. Parent's duty to requisition for the men; to see how many men were wanted and give requisitions for them?—A. Certainly.

Q. Of course the requisition would be given to Mr. Kennedy?—A. Through Mr. Kennedy.

Q. But he should understand from Mr. Parent the number of men required?—There should be an understanding between them?—A. Certainly. Mr. Kennedy was supposed to be on the works. Mr. Parent has general charge; he was not always there, but was supposed to be there four or five times a day and see that things were regulated properly, and to consult with his superintendent, with the officer in charge on the ground.

Q. Were there any instructions given to that effect to Mr. Parent, that the work should be done by requisition?—A. Yes, I may explain. These tenders were sent to Ottawa by Mr. Parent—not the tenders but the abstract of tenders; I took them into the minister and the minister did not feel disposed to sign them, to authorize them, and he said: "Is not this a very unusual way of doing it?" I said: "Yes, that I have never seen it done so before," but I did not know there was any great objection to it. "Well," he said, "I won't sign it until you communicate with Mr. Parent." I then communicated with Mr. Parent. I think he wrote me, and he also came to Ottawa, and he explained to me the reason why this had to be done. It was all arranged before I had anything to do with the canal.

Q. The contract had been let before?—A. No, not the contract; but instructions issued to procure this labour. He explained that the contractor would have a much

better control of the labour, that he always had the labour at command, and in case of strikes there would not be the same difficulty there would be if he employed them himself. Afterwards I went and explained all this to the minister, and after hearing it and my telling him that Mr. Parent urged it very strongly—of course I knew very little about labour in Montreal—he then consented to sign it, which he did, and the tenders were then accepted. But it was not according to his own judgment, I must say that, although I did not see, if properly carried out, why it should not be a very good plan.

Q. That contract was for the Wellington bridge, in the first place?—A. Yes, the Wellington bridge proper.

Q. Then the same contract was extended to the Grand Trunk bridge?—A. It was. The Grand Trunk bridge was in rather a peculiar position. Of course it was a very short time, no doubt, in which to carry on a work of this kind. But there had been some negotiations with the Grand Trunk Company for the construction of this bridge and I called upon Mr. Seargeant and Mr. Hannaford, with Mr. Parent, I think, and Mr. Hannaford said that they would not undertake it. The idea was to get them to undertake the building of it, but Mr. Hannaford said they would not undertake it, it was impossible to do it. I afterwards called in to see Mr. Seargeant, and he sent for Mr. Hannaford, and Mr. Hannaford told me the same thing. Mr. Seargeant said that under all the circumstances he would prefer not to undertake it. We had no alternative then but to proceed with the work. As the time was very short we could not let by contract and it was concluded, on the advice of Mr. Parent, just to extend the same contract for the supply of labour for the Grand Trunk bridge.

Q. There was no time for making contracts?—A. No, it was very late then.

Q. Do you know at what time that contract was made with Mr. St. Louis for the supply of labour for the Grand Trunk bridge—when it was extended?—A. I do not remember now.

Q. Do you know if Mr. Desbarats prepared the plans?—A. I could not say anything about it; I only know that I got the plans from the office in Montreal. I know nothing beyond that.

Q. You could not say anything as to what Mr. Desbarats might know about the plans?—A. I know nothing whatever about it except what I tell you, that I got the plans from the office here. They were sent up to me under cover of a letter from Mr. Parent. I think I have heard Mr. Parent say that Mr. Desbarats prepared them.

By Mr. Vanier :

Q. How many hours' time did you spend on the work here during construction?—A. A very few hours.

Q. Don't you know that, as a matter of fact, those plans were prepared in Ottawa from the very start?—A. I do not. I saw Mr. Spence in charge of the draughting office in Ottawa, and he told me nothing there about them.

Q. Was Mr. Desbarats employed in the department for some time?—A. Mr. Desbarats was, I think, employed in the department prior to coming down to Montreal, I think in the draughting office of the canal.

Q. Was he employed in Ottawa and residing there?—A. Yes, he was employed in Ottawa.

Q. He was sent here to take charge of the works for some time?—A. I assume so. I know nothing about it except from what I have understood from the office at Ottawa; I know nothing about anything prior.

Q. Do you know why he was discharged and replaced by another party?—A. Yes, that was my doing. It was not a discharge that implied disgrace, that was not the case; but it was considered that we had got a sufficient staff to attend to this work without Mr. Desbarats. If he had been discharged for a cause implying disgrace I should not have him employed now.

Q. The commissioners have heard that these plans had been prepared in Ottawa and that Mr. Desbarats, the gentleman of whom I speak now, was intrusted with

the preparation of those plans. The chairman, Mr. McLeod, wrote to Mr. Desbarats, who was then in British Columbia, on the 29th June last, in which letter he says :

"DEAR SIR,—The commission of which I am chairman is now sitting in Montreal to inquire into certain matters connected with the Lachine canal. The inquiry necessarily has to extend to the new Wellington street and Grand Trunk bridges, and to the cost thereof, which is far in excess of the original estimate. I would like to know whether you remember upon what basis the original estimates, for either of the bridges were prepared, whether the same were prepared by you, and if all the work in connection with these bridges was contemplated when the estimates were made, and any other matters connected therewith which may be within your knowledge. Let me hear immediately from you on receipt of this, and more particularly in answer to the question as to what the original estimate provided for. Write me at once and as fully as possible, so that we may be able to consider any information which you may give us.

"Yours truly,

"HENRY McLEOD."

This was addressed to George J. Desbarats, Esq., civil engineer, North Bend, British Columbia. Mr. Desbarats first answered that letter by telegram, dated North Bend, British Columbia, July 5th instant.

"To Henry McLeod,
Lachine Canal office, Montreal :

Prepared plans and estimates for Mr. Lesage. Estimates covered both bridges, masonry increased afterwards. Have no memo. here, so cannot give detailed information.—GEORGE J. DESBARATS."

Later on the chairman got a letter from the same gentleman, dated on the same day as the telegram, in which he said :

"DEAR SIR,—I beg to acknowledge receipt of your letter of the 29th ultimo, asking for certain information about the Wellington street and Grand Trunk bridges. Last summer, under Mr. Trudeau's directions, I prepared plans and estimate for the work to be done on the Lachine canal at Wellington street, and acted as resident engineer on that work till the end of February. The estimate provided for the erection of two steel swing bridges, with the necessary masonry and protection work; but as I prepared several estimates for this work from different plans, I cannot at this moment give the details of each scheme without referring to my notes and sketches. These notes I have unfortunately left in Montreal. After the estimate had been made and during the progress of the work, several changes were made in the plans. These changes were chiefly to provide for a proposed increased depth of the canal. The effect of the changes was to increase the amount of masonry considerably, which would add somewhat to the excavation. The plans for piling were also changed. As I do not know what was actually done on the bridges I cannot say if the entire quantity of the item was increased or not. In any case, I should find it difficult to give any detailed information on this subject without consulting my notes and the plans of the bridges. I regret I am unable to give you any more definite information, but I trust that this will be of some use to you.

"Yours truly,

"GEORGE J. DESBARATS."

Q. Would you infer from this correspondence that the plans were prepared in Ottawa?—A. No; not necessarily so, I would not think so. They might have been there. Mr. Desbarats was sent down here, I think, in November, and I presume that he must have been working at them in the office here, as he says he prepared them, for he would not have anything else to do down here, I think.

Q. I think he will be able to prove later on that these plans and estimates were prepared in Ottawa and Mr. Parent was called on to countersign them?—A. That may be so. It was before my time. I can only speak of what is known to me.

Q. Did you ever see the preliminary estimates that were attached to the report of the chief engineer when the order in council was passed?—A. Yes; I must have seen that.

Q. Would you identify the preliminary estimates (showing them to the witness)?—A. Yes; that is the one I refer to, that is the one attached to the preliminary report.

"Copy of report from Mr. Trudeau, chief engineer of canals to the minister, dated October 19th, 1892, with the original estimate annexed," is put in as C 58, also correspondence of Mr. G. J. Desbarats with Mr. McLeod, and a copy of letter from the chairman, and telegram and letter from Mr. Desbarats in reply, as C 58.

Q. Did you ever see the specifications on these works?—A. No.

Q. Did you ever send to Mr. Parent any detailed information about the way the works were to be proceeded with, or anything that would take the place of specifications?—A. No; this was all arranged before I had any connection with the canal. The quality of the work is ordinary bridge masonry.

Q. Were not the changes in the plans made in Ottawa?—A. I made the changes in the plans.

Q. Look at exhibit C 59, and say if that is the letter you wrote to Mr. Parent about these changes?—A. That must have been mine, no doubt. It reads as follows, being dated 20th February, 1893, and addressed to E. H. Parent, chief engineer, Montreal:—

"DEAR SIR,—I send herewith plans showing position of bridges and piers at Wellington street bridge; also plan of the north abutment and highway under Wellington street bridge, and the plan of north abutment of the railway bridge. These are the plans you are to work by."

That is Mr. Desbarats's corrected plan. That cut out 600 yards of masonry.

Q. What position would Mr. Kennedy, as superintendent of the canal, occupy on those works; in your opinion what responsibility would he have?—A. He would be responsible for the proper conduct of the work and the economical carrying out of the work, under the general direction of Mr. Parent.

Q. Did you not remonstrate to Mr. Parent once about Mr. Kennedy's receiving tenders in his office for supplies instead of in Mr. Parent's office?—A. I remonstrated with Mr. Parent for the manner in which a certain tender was sent out for timber, because I did not think it gave fair and open competition.

Q. Does not this letter, dated December 23, 1892, refer to something of that kind, and now produced as exhibit C 60?—A. Yes, that is right; that is mine.

Q. Do you know anything about the relations in this office between Mr. Kennedy and Mr. Parent? do you know if they were working well together, or if there were any differences?—A. The only difference I am aware of was that on one occasion Mr. Parent stated to me upon the works that Mr. Kennedy had given instructions to the time-keepers not to allow him to see their books. While I was walking with Mr. Parent shortly afterwards, we met Mr. Kennedy; I think it was the same day. However, I spoke to Mr. Kennedy about it, and he said that there was a mistake; that he had never given any such orders, &c. Then Mr. Parent said, "I want no more said about it; it is all a mistake." And I said no more about it.

Q. There was an absolute necessity to complete these works by the first of May?—A. They were to be finished by the first of May.

Q. No matter at what cost? A. No; I never heard anything about that. It was to be finished, no doubt, by the first. It was a *sine qua non*. But you will find, I think, in any instructions I have ever given to Mr. Parent, I have always drawn his attention to the necessity of seeing that it was done economically.

Q. Was it not understood at the start that the work was to be begun in December last instead of March?—A. That I know nothing about; I never heard anything about it. I think it would have been much better if it had been commenced very much earlier; no doubt about that.

Q. Night work and Sunday work would not have been necessary in that case?
—A. Well, that I cannot say, because you could not remove the water out of the canal for a long time without materially affecting the commerce of Montreal, and the taking out of the foundation, tearing down the crib-work and building the masonry necessary, had to be done when the water was out.

Q. You could not have pushed the work after the first of May?—After the first of May you could not have had any obstruction in the canal, you would have interfered with the commerce of this city very much.

Q. I supposed you referred to this when you stated in your letter of the 6th February, 1893:—

"My Dear Sir,—Please report to me on the progress made with the work on the Wellington street and Grand Trunk bridges and the works in connection therewith, and keep me advised of the progress of the work. Understand that failure to complete these structures by the opening of navigation would be a most serious matter."

I produce this as C. 61?—A. That is so.

Q. Mr. Desbarats had been placed here by your predecessor, the late Mr. Trudeau?—A. Yes.

Q. I see in this correspondence something relating to the question of skilled labour. It appears there has been something about the value of the term "skilled labour." Would you tell us what you understand by skilled labour?—A. Are you speaking of skilled labour or skilled labourers? In my mind they are two different things.

Q. Skilled labour?—A. Skilled labour would be that of a stone mason, of a carpenter, of a mechanic of some kind.

Q. Would you please explain these two letters of yours on the subject? The first letter refers specially to stone cutters, and so does the second letter. (Reads the letters to witness.) What would you understand by overtime in the contract labour?—A. My understanding of it is, time worked by men over whatever may be considered a day's labour, ten hours or nine hours, or whatever it may be. If ten hours is considered a full day's work, then 11 hours would be one hour overtime, &c.

Q. Would you call night work by a night shift, overtime?—A. If a man was working during the day and was asked to work after hours that would be overtime. But if you have a gang in the day and a gang at night, it is not termed overtime, and never has been in the works I have been connected with.

Q. Would you please state on what prices of labour you based your estimates in Ottawa?—A. What estimates?

Q. The estimates for masonry work?—A. I made no estimates. The estimate was made by my predecessor. His estimate was made, a parliamentary vote was obtained for it and re-voted.

Q. I mean these estimates you prepared yourself or got prepared in the department, of the ordinary work to be done in the different parts of the country?—A. Do you mean under this labour contract?

Q. No; in general, those estimates that you prepare every day in the department. On what prices of labour do you base them?—A. I do not understand you. We do not prepare any estimate of labour.

Q. I mean the estimate of work. It must be based on some known prices of labour?—A. We take the general average of labour. It varies.

Q. At what price would you value common pick and shovel labourers?—A. It depends very much on the section of the country. In Nova Scotia I should call it about \$1.10 or \$1.15. In Ottawa I should call it more, \$1.25, \$1.30 or \$1.40. In Toronto, I understand—I am not speaking from my own knowledge—but I understand there labour is about \$1.50 a day. But I never did any work here or in Toronto.

Q. Did you send this telegram to Mr. Parent in which you state: "In explanation of my letter skilled labour 18½ cents, and good labour 15 cents per hour." To what class of labour did you refer?—A. Skilled labourers were supposed to be handy men about the derricks, &c. Ordinary labour was supposed to be good or-

dinary labour for pick and shovel work, and any rough work of that kind. But there was nothing skilled in connection with it at all.

Q. Was not the contract for labour depending on the final answer to this explanation you gave to Mr. Parent?—A. I do not understand you.

Q. Did you not have to close that contract then with Mr. St. Louis?—A. What produced that telegram or letter you have there was this: Mr. St. Louis, or his solicitor, came up to Ottawa to remonstrate against my refusing to pay the ordinary shoveller, the ordinary labourer, \$1.87½. There were several interviews between Mr. St. Louis's solicitor and the minister and myself in this connection, and after it was found, apparently, that we would not give way, would not fall into their views, that this tender covered ordinary labour, Mr. St. Louis made a proposition that he should obtain \$1.50 a day for good ordinary shovellers, good ordinary labourers. I communicated with Mr. Parent. I knew nothing about the price of labour here myself, but I communicated with Mr. Parent to ask him whether he considered that a fair price. Mr. Parent, my recollection is, replied that if they were good labourers he thought that would be a fair price. I communicated this to the minister, and the minister authorized me to accept that.

Q. Is not this a telegram you sent to Mr. Parent on the 13th March, 1893, in which you state: "Is \$1.50 a fair rate for common labourers in Montreal, such as shovellers and pickers? If not, how much less? Please reply to-night."—A. Yes; that is right.

Q. Now, coming back to the question of the preliminary estimate for these works, are you not aware that the estimates for these works were prepared early in 1892?—A. I think they were prepared in 1892.

Q. I think you said so in one of your letters addressed to the Minister of Railways and Canals on the 25th April, 1893?—A. I think so.

Q. Referring in that letter to the preliminary estimate you said: "When the estimate made by Mr. Trudeau, the then chief engineer, and by Mr. Parent, superintending engineer, early in 1892, was considered, &c."—A. Yes; in that letter I was referring to things generally.

Q. Did you not object to the price paid for cement?—A. Yes.

Q. In the letter of May 30th, 1893?—A. Yes.

Q. Before these works were constructed did you ever see any others where a large pile of ice had to be taken out before starting?—A. No; I never saw so much ice removed in any work I had to do.

Q. At how much per ton would you value the removal of the ice?—A. I was not here when the ice was removed, but from all I have heard I should think from \$1 to \$1.50 a yard wouldn't be out of the way.

Q. Did you not give orders to Mr. Parent to change the prices he had adopted before starting to remove the old bridges?—A. I did; yes.

Q. Were not the old bridges unsupported already when you gave orders to change the mode of procedure?—A. No. In the case of the Grand Trunk bridge, for instance, I gave instructions that it was not to be removed until a certain time. To my amazement I got word up in Ottawa that they had torn up the bridge, torn the track off, &c., which was a very serious matter for the Grand Trunk. That was contrary to my orders. Then I had the bridge shifted so that the Grand Trunk could use it, so as not to break their connection for any lengthened period.

Q. Why were Mr. Parent and Mr. Kennedy suspended? I see some correspondence here on the matter.—A. My recollection is that they were suspended for not carrying out the instructions.

Q. Were there any specific charges or any special cases?—A. No; no charges made against any one beyond the fact that the instructions were not carried out.

Q. On whose order were they discharged?—A. On the minister's order.

Q. Did you report on the matter?—A. You have all my reports before you.

Q. It would take me a long time to find them?—A. I made a report to the minister and you will find it there.

Q. Did you have anything to do with this order? Did you make a report to the minister? (hands a document to the witness). A. Yes; there must have been a report. It was written on the back of the report.

Q. It reads thus: "Suspend Parent and Kennedy. In the meantime appoint Marceau to act in Parent's place and Douglas of this department to assist him, and have investigation made into the whole expenditure on the Lachine canal, and if necessary get authority from council to take evidence under oath."—A. That is signed by Mr. Haggart.

Q. Will you be kind enough to send us a certified copy of that report made to the minister?—A. As soon as I found out this morning that you wished to examine me, I telegraphed to Ottawa to send my reports down. One of my clerks will come down to-night.

By Mr. Emard:

Q. What date is that?—A. May 10th.

Mr. VANIER.—All this correspondence will be filed.

By Mr. Douglas:

Q. Would you look at that order in council and say if that is the order under which the expenditure was made?—A. I have no doubt this is the order in council for what was started.

Q. This order in council is based on a recommendation of Mr. Trudeau to Mr. Parent that the work should be done by day's labour. Now, in your experience of public works do you think that, either by corporation or by government, doing work by day's work is a good system?—A. I have never been in favour of it.

Q. At the time you became chief engineer of railways and canals, did you assent to this order in council, or was the matter brought before you in regard to changing to a contract system?—A. I was appointed on the 30th November, and I took charge the second week in December. Everything was new to me, and this matter did not come to my notice until a little while afterwards.

Q. Had you time to change the labour system?—A. No; I do not think so.

Q. Do you consider that reliable contractors could have done the work in the same time at a much less expense than it has cost?—A. I think I have already answered that. I think \$250,000 was a liberal price to do the work under the circumstances.

Q. Does that \$250,000 include the plant?—A. It includes everything for sub-structure, includes everything.

Q. To the best of your knowledge would you, as a contractor, undertake that work for \$250,000?—A. Yes.

Q. Then the only reason that you did not change the system when you assumed office was that you had not time to advertise for tenders?—A. We had not time to prepare everything necessary to invite tenders at that time.

Q. Would you look at these plans signed 20th February? Is this a copy of the plans sent from here?—A. I reduced the masonry considerably by not making it so wide.

Q. Then your responsibility with regard to the plans and the work does not date beyond the 20th February when you signed your name on the plans?—A. No.

Q. And those plans were not prepared under your direction in Ottawa? (showing the witness other plans)—A. I never saw them until I received them from Mr. Parent.

Q. During the time the tenders were received for labour, did you know that there were a number of mills closed down and a number of men out of employment?—A. I did not know it at the time the tenders were received, but I was aware there would be a number of men thrown out of employment the moment the water was taken out of the canal.

Q.—Don't you know that in the winter time there are always a number of stone cutters, masons and skilled labourers out of employment?—A. I am aware that in all cities there are a large number of mechanics thrown out of employment by reason of the severity of the weather.

Q. Do you not think that during a time when so many people are unemployed' the contract system for labour is a very bad system?—A. I am not able to offer an opinion about that. I think that with proper competition for labour, if the system is properly conducted afterwards, I do not see any great objection to it.

Q. Do you consider that the abstract of tenders for labour shows a proper competition?—A. I do not know. I think five people were invited to tender, so Mr. Parent told me, I think.

Q. Do you think that invitations to tender should be publicly made, as a rule?—A. I think it would have been better if they were publicly known.

Q. Then how was it on that schedule of tender for stone cutters, masons and skilled labourers, an addition was made of common labour, of which there was to be plenty at the time, and which witnesses here say only cost from \$1.10 to \$1.25?—

A. I know nothing as to what labour cost here at the time. I only know that when the tenders were received Mr. Parent explained that the ordinary labour of their own employees would be sufficient. That was at the start when the tenders first came in. It was subsequent to that when an objection was taken to paying \$1.87½ for ordinary labour, and Mr. St. Louis insisted that that covered all kinds of labour, mere shovellers, &c., that this other arrangement was made and we thought of a compromise.

Q. Then there was no competition for ordinary labour?—A. No. It says there "skilled labourers," and Mr. St. Louis contended that that really covered good shovellers. That was his contention, but the minister did not hold that good. But afterwards as a compromise he offered this other plan which, upon consultation by telegraph with Mr. Parent here, was accepted.

Q. Did you accept the amount of \$1.50 on the recommendation of Mr. Parent as a local price of labour?—A. It is rather unfair to make me answer a question from memory about something which is not in writing. So far as I can recollect Mr. Parent replied to that for good labourers he did not think \$1.50 would be out of the way at all.

Q. Would not "choice labourers" include skilled labourers as well as common labourers?—A. No, because he was aware what was in dispute. There was a dispute about \$1.87½ for "skilled labour," not "skilled labourer."

(Mr. Schreiber's letter to Mr. Parent of March 6th, 1893, is read, also a telegram from Mr. Schreiber to Mr. Parent of 13th March, 1893, in which these words occur: "Is one dollar and fifty cents a fair rate for common labourers in Montreal such as shovellers and pickers? If not, how much less? Please reply to-night").—A. This is an answer to that. This came in reply to that.

By Mr. Emard:

Q. In mentioning choice men in the telegram, he meant to say choice labourers, or choice men as labourers?—A. Good, choice, common labourers, that is the way I took it.

By Mr. Douglas:

Q. The department accepted responsibility for this contract?—A. Certainly.

Q. And for granting the contract for the Grand Trunk labour to Mr. St. Louis as well?—A. The extension, certainly.

Q. At the time you were visiting the works did you see the demolition of the old cribwork? It has been asserted here that one reason for the excessive number of hours of skilled labour on the Grand Trunk bridge was because it required skilled labour to tear the cribwork?—A. I should not consider tearing down crib work required skilled labour.

Q. Did you see it being torn down?—A. I did.

Q. Do you consider that the men who were required to tear down that work could be called skilled labour?—A. No, I would not.

Q. How many men about a derrick would you consider skilled labour—a hand derrick?—A. I think about three or four men.

Q. It has been given in evidence here, two men?—A. I should say three or four.
 Q. What position would they be in?—A. The man hauling stone would not have anything to do with it, but all those that have anything to do with the gearing of the derrick and also looking after the swinging of the stone, might be considered employed on it.

Q. You would not call the men turning the handles skilled labour?—A. One of them would have to be a man with a head on his shoulders to know what to do.

Q. Then you consider that at least four men with a hand derrick should receive the higher price you have given here for skilled labour?—A. That is my idea; yes.

Q. When did this excessive expenditure become known?—A. I think it was about the 19th or 20th April, upon receipt of the pay roll for March. That was when it first became known. As to the number of men that were employed, we had no idea of it at all. That is the first knowledge I had of it, except, as I tell you, from a report that appeared in the *Montreal Gazette*; and at the same time I saw the *Gazette*, a person came into my office and reported that things were going on very extravagantly. Then I wrote to Mr. Parent on the 10th March.

Q. How long after the accounts were dated did you receive that pay-list?—A. About the 19th or 20th April.

Q. So that on each pay-list you were nearly a month in the dark after the expenditure of money?—A. Yes; I was in the dark until I received that pay-roll.

Q. And at each succeeding pay-roll you became more astonished at the number of employees?—A. Yes.

Q. So that you had no opportunity, through the celerity of the prosecution of this work, to remedy the matter?—A. No; I believe there were two able men in charge here. They were strangers to me.

Q. What position had Mr. Douglas, the engineer in your department, with regard to this work? Had he any responsibility?—A. None, whatever. Mr. Douglas was a bridge engineer.

Q. What was he sent down here for?—A. To report to me in connection with this work, to see what was going on, and whether things were being economically done, &c.

Q. Did you, as the chief engineer over Mr. Douglas, consider that he had any responsibility concerning this work from its start to finish?—A. He had no responsibility whatever, he had no power to interfere with Mr. Parent or Mr. Kennedy until near the close of April. Then I asked him to consult with Mr. Kennedy and Mr. Parent.

Q. Now, as to the stone cutting on lock No. 1, can you explain why your orders were not acted upon?—A. I cannot explain.

Q. You know the amount per yard that work has cost?—A. I saw how many yards were in it, and I saw the pay-roll; I also noticed that most of it was done after the date of my letter, almost the whole of it.

Q. Then who do you hold responsible for the excess of work or the expenditure incurred in cutting stone unnecessarily?—A. I hold Mr. Parent responsible for that expenditure, because he had orders that the work was not to be proceeded with. He had it in writing.

Q. Do you know the ordinary price paid per cubic yard for cutting on lock No. 1?—A. We do quantities of lock work for \$10 and \$10.50 a yard, that is building and everything.

Q. Are you aware how much that stone cutting has cost as stated in evidence here?—A. No.

Q. In looking over the pay-roll with the different appropriations here, including the bridge, you must have noticed that they were enormously high. Have you certified to all those accounts?—A. No, not yet.

Q. So that, therefore, you have not accepted the responsibility of certifying to the immense expenditure as yet?—A. I have accepted the responsibility up to a certain amount. We are holding a large number of accounts, I think the amount of the pay-roll which I have not certified

Q. Now, you state that you consider \$25 a fair price for the value of the masonry during winter. Do you know any rock-faced masonry costing as much as \$25?—A. Yes.

Q. Where was it built?—A. It was built by Messrs. Bertrand on the Intercolonial.

Q. What depth of water?—A. No water at all.

Q. What was the thickness of the piers?—A. They were largely culverts.

Q. I am talking about the masonry of the character of the pivot pier here?—A. Yes, some of their bridge masonry cost \$25.

Q. Rubble inside and faced work outside?—A. Faced work under the ordinary specifications for government work, costing \$25. That was not their contract price, but we kept the account to see what it was costing.

Q. That was done by the government?—A. No, it was done by contractors, and that is what it cost the contractors. It was very expensive granite about Bathurst.

Q. Are you aware that the former piers of this bridge were built for about \$12.50?—A. I am not aware of it, but I have heard of it.

Q. That it was ashlar and not rock-faced masonry?—A. Yes, it was ashlar, and I heard it cost \$12.

Q. Then, rock-faced ashlar would cost less, would it not?—A. Yes.

Q. Then, under those circumstances, you consider it would cost double from March 11th to the end of April what it would cost during the summer?—A. I think that a work of that character, done in such weather as there was when this was being executed, would cost double what it would cost in the summer season.

Q. When you were here did you observe the character of the plant on that work?—A. Yes.

Q. Do you consider it is a very expensive plant for a short job?—A. Yes, it was expensive, no doubt.

Q. Did you notice upon the work an excess of plant?—A. I think there was more plant than there should have been.

Q. Did you consider the temporary erection necessary? Did you consider the platform in the centre of the canal necessary?—A. If I had been carrying out the works on the ground myself I should not have gone to the same expense.

Q. You do not know specifically of the various erections?—A. Yes, I know there were erections there that I should not have put up. I should have carried out a different system.

Q. Looking at the platform shown in the photograph, C 35, do you consider that a totally unnecessary erection?—A. I think there is a great deal of expense there that is not absolutely necessary.

Q. In the photograph, C 56, you see the temporary bridge and the character of the bents and stringers, do you consider that an unnecessarily expensive erection?—A. On seeing that I would assume that that timber was merely there temporarily, to be used in the permanent work. What I think is this: that in carrying on a work of that character it would not be unreasonable at times to make a heavier structure than is absolutely necessary for what you are going to use it for, preserving the timber to put into your work afterwards.

Q. On a job of that size, what would you say of 60,000 feet of timber? First, have you studied the various bills in connection with this bridge? Would you look at the list of these bills and say, as a practical man, if you think they are excessive?—A. Without going into the matter, that ought to be material used in the structure. It can easily be ascertained, I should think.

Q. Do you consider, after examining the accounts before you in regard to this bridge, that they are excessive?—A. When these accounts were before me for 60,000 feet of timber, I did not think it possible it could have gone into the work, and I would not certify to it; that is all.

Q. What do you think of the cement account?—A. Well, I thought the cement was high, and was higher than McConnell should have charged. One reason was because that very cement was quoted in some of the papers at the same time at a much less price.

Q. Were there any other accounts you objected to?—A. Yes, I think there were a number.

Q. Here is a letter dated 23rd December, which has been read before, in which you say: "I am still more surprised to know that you allowed such a circular to be sent out." Now, at the date that letter was written you had already initialled the tender of Henderson, with regard to that abstract of a tender. Had you any knowledge of the bill of timber or had you seen it?—A. No. What produced that letter was this: A party who was going to tender, brought it into my office after the tenders were accepted, and he complained bitterly about the way the tender was specified, and certainly it was not a wise way, no doubt about that, if you wanted to get timber at the cheapest prices and to give fair competition.

Q. It was considered peculiar that you should write a letter of that character after having initialled an abstract of tenders?—A. It was after that.

Q. Is that a copy of the invitation to tender?—A. I am unable to say so. This is Story & O'Connor's; it must be the one. It was O'Connor who brought it into me. What I objected to is this: It says, 75 pieces 12 x 12, and in length from 13 to 34. Now if any one were tendering for that and another party was unfriendly to his getting the tender and it was awarded him, he might compel him to put in all 34's, and the price of 34 foot timber is very largely in excess of the price of 13 foot timber. If it was a friendly tenderer he might make the larger proportion of it 13, and that is what I objected to. What I said was that they should have enumerated so many pieces of such a length and so many at such another length and so on. I thought it was too general.

Q. Would you look at that abstract of tenders for lumber. Is that the abstract you certified to?—A. I would like to see the original, but I have no doubt that is it.

Q. When you initialled that tender what would you consider three-inch planks? In C 15, the invitation for tenders, you observe about 100 feet board measure of three inch pine planks?—A. I will explain. This was recommended by me for acceptance as being the lowest tender.

Q. Do you consider three-inch plank and three-inch pine planks convey the same significance as regards price? Do you think when a man puts in a price for three inch pine plank, and lots in spruce, culled timber, shorts and everything else, do you consider you would have accepted a tender of that description?—A. No. Here is a specification, although, as I say, I took objections to the specifications for the reasons I stated.

Q. You are aware that the original timber contract was about 15,000 feet; it has extended to 45,000. Do you consider under that schedule that a man can put in flatted spruce, hemlock and inferior timber?—A. He can put in under his tender round spruce. Under that tender he can put in whatever is specified, but I could not change it. I had no power to change it one way or the other.

Q. You will observe in this account of Henderson's a large amount of flatted spruce charged as pine; are you prepared to pay pine prices for flatted spruce? No.

Mr. ARCHIBALD.—It is absurd to put a question in this way. "You observe a large amount of flatted spruce charged as pine." It is not charged as pine at all.

Mr. DOUGLAS.—It is charged at pine prices.

Mr. ARCHIBALD.—What is it billed at?

Mr. DOUGLAS.—If you want the truth, it is falsely billed. Here is the bill It has been proved here in evidence that under that bill culled spruce, culled hemlock, shorts and inferior timber of every kind has been run into this job, and there is the bill for the job.

Mr. ARCHIBALD.—It is billed as pine. I object to that question. It is not charged as pine. There is not a word about pine in the bill. It is simply charged in such and such a way, and you assume it is pine.

Mr. DOUGLAS.—We will put the question in another way. If on the ground, and by testimony it is shown that flatted spruce, culled hemlock plank, culled pine plank, shorts of hemlock and ash and inferior timbers have been run into that work on pine prices, are you prepared to pay for it?

Mr. ARCHIBALD.—I object to that question. There is no proof of anything of the sort. There is sworn testimony that certain of the goods delivered were flatted spruce and certain goods were shorts, but there is no testimony that they were run in at any particular prices.

Mr. DOUGLAS.—There is the bill for them, the bill will speak for itself.

Mr. ARCHIBALD.—You will not find flatted spruce in his bill.

By Mr. Douglas:

Q. What do you consider the value of wages for time-keeper? Do you consider he is entitled to as much as a foreman?—A. Their wages range from \$40 to \$50 a month.

Q. You do not consider that a time-keeper should be run in as a foreman?—

A. A man may be a time-keeper and afterwards he may be employed in another capacity as a foreman. If he is employed in that capacity, then he will be paid for it.

The further examination of this witness was adjourned.

The commission then adjourned.

S. A. ABBOTT, *Stenographer.*

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LACHINE CANAL INQUIRY.

MONTREAL, 21st July, 1893.

The commission met at 10 o'clock, a. m.

Present :

Messrs. McLEOD, DOUGLAS and VANIER.

COLLINGWOOD SCHREIBER, deputy minister of railways and canals, continued his evidence as follows:—

By Mr. Douglas :

Q. At what time did you become aware that Mr. Kennedy had been appointed overseer of these bridges in contradistinction to his position as superintendent, or were you aware of it at all?—A. Yes; I was aware that he had been specially appointed in connection with it, but at the same time I understood that up to that time he was actually in charge of it as superintendent.

Q. Mr. Parent says in his sworn statement that it was done in Ottawa at the solicitation of two Montreal gentlemen. I find in a letter of the 28th November, "I am directed to inform you that as superintendent of the Lachine canal, you are requested to act as overseer in connection with the construction of the substructure of the new bridge over the Lachine canal, &c." What distinction do you make between the office of overseer and superintendent?—A. I really could not tell you. I have always understood that as superintendent he would have charge of any work going on on the canal. I was not aware of that letter until within the last month or so.

Q. Your letter of December 3rd was read yesterday, holding Mr. Parent responsible for everything. I presume you were not aware when that letter was written that he was an overseer. Do you draw any distinction between overseer and superintendent?—A. When I wrote that letter you refer to, I was aware that Mr. Kennedy was in charge of the work down there, although I knew nothing of that letter you speak of now.

Q. Does that title of overseer give him any more responsibility than a superintendent?—A. Well, I would not have thought then there was a necessity of making a special appointment. I would have thought that as superintendent of the canal he would be in charge of any works upon it. That would be my impression.

Q. Then with regard to the letter that was read yesterday announcing your surprise that the cutting of lock No. 1 stone had not been stopped; were you aware that upon the 15th March, 1893, Mr. Parent writes to Mr. Kennedy in this way: "With reference to the amounts asked for in the supplementary estimates for the current fiscal year, I beg to inform you that you are hereby authorized to proceed at any time with the work in connection with the repairs of the undermentioned structures, namely, 'so and so,' whilst the old lock No. 1, for which the sum of \$37,800 was asked, is not to be rebuilt." That letter was sent to Mr. Kennedy on the 15th March, were you aware of that letter?—A. I think not at the time. I remember a conversation with Mr. Parent in his office. I asked Mr. Parent whether it was after or before that, I did not know—whether he had given Mr. Kennedy instructions. He was under the impression that he had given some orders verbally to Mr. St. Louis about it, but he did not remember having said anything to Mr. Kennedy before that day. I was looking through his press book and I came across the very letter. Mr. Parent had forgotten it and was taken a little by surprise.

Q. Then the responsibility for not stopping the cutting of lock No. 1 stone is between the two, the superintendent and the superintending engineer?—A. Yes, between the two in this way, that it was under my instruction that the work was not to be proceeded with. Mr. Parent should have seen that it was stopped, and he apparently did his part by writing to Mr. Kennedy to say it was not to go on, and Mr. Kennedy should have stopped it. But then Mr. Parent should have seen to it.

Q. From your knowledge as a contractor, would you look at exhibit C 30 in which there is a calculation of the timber bought and the timber to be used in the work, and the timber to be accounted for. In the item of square timber, which run, I presume, from 8 by 8 up to 20 by 20, there is a shortage of 900,000 feet to be accounted for. Now, what proportion of the timber of that description used in the false works, would lie on the bank of the canal after it had been used, suppose a hundred per cent goes into the false work of the character you saw on the canal?—

A. It would depend very much on the position in which it was placed. All timber used in trestle structures and road ways, &c., should be available and should be upon the ground afterwards. Timber used in piling or anything of that kind, driven in to form dams, would not necessarily be upon the ground afterwards.

Q. The timber you saw in the platform and in the temporary bridges?—A. That should either be in permanent works or it should be in stock.

Q. Then I come to the item you were talking about, the tongued and grooved boards, one-inch boards. The tongued and grooved boarding presumably went into the cofferdam, and one-inch boards went into a large number of sheds or into the cofferdam. I find in the tongued and grooved boarding a shortage of 84,000 feet, even supposing that could be accounted for by being broken up in the dam, there is still another shortage to be accounted for of 600,000 feet board measure of three inch deals. Now, those deals were used on platforms at the bottom of the canal, on drive-ways down to the bottom of the canal, and that platform on the temporary bridge. Now, what proportion should you think would remain on the bank of the wood used in those structures?—A. All planks used in these road ways should be there, excepting such as may have been used in the permanent work.

Q. This shortage is supposed to have been taken out?—A. I do not know anything about shortages.

Q. Now Henderson had a contract for supplying some \$15,000 worth of timber; beyond that \$15,000, \$45,000 was bought without tender. What should be the departmental process in obtaining that large amount of timber? Had Mr. Kennedy any authority from the department to buy \$45,000 additional?—A. I think my correspondence you have there will show the course that should have been pursued. I think you will find several letters from me there stating that all materials for these canals have to be purchased by tender and contract. The abstract of tenders sent up to me for submission to the minister were not contracts. That was the course that should have been pursued, no doubt.

Q. This \$45,000 worth of timber should have been designated by quality, kind and dimension, and purchased by contract?—A. Yes.

Q. Well, does the hurry in which this work was rushed obviate responsibilities in that way?—A. I do not think so.

Q. On the Curran bridge there were six derricks; how many men would you think would be required for six derricks?—A. I do not know what the position was. Were they building derricks?

Q. Yes; building derricks? A. I think about three builders could work to a derrick.

Q. There may be six or seven derricks. I find on the Curran bridge there were 29 men working on the derricks, and building masons. I find on the two derricks there were some 30 to 40 men. What would you consider the cause of that?—A. I could not give any cause for that.

Q. As a contractor you have observed the time list of your overseers and time-keepers frequently, have you not?—A. Yes.

Q. Now, would you observe that time list. It refers to the Grand Trunk bridge. Would you consider in time-keeping that that list is a clean list of unbroken hours?—A. It would look a remarkable thing. At the same time I was not there.

Q. But as a contractor I want you to see the unbroken hours?—A. It looks strange.

Q. As a contractor have you paid a similar pay-list?—A. I could not give any information about that. The time-keepers should do that.

Q. But you think the unbroken hours is remarkable for the winter time?—A. It looks so.

Q. Do you consider it a bad principle to have tenders opened in the office of the superintending engineer or of the superintendent, and abstracts sent to Ottawa without the original tender? Is it not a system leading to the manœuvring of tenders?—A. We do not know that our leading officers are doing that kind of thing. We have to place confidence in some one.

Q. What is the system?—A. The original tenders, as a rule, are not sent to Ottawa; not when they are received by the local people. Abstracts are sent.

Q. Is it permitted by the department and the officers under your charge, to alter appropriations, to charge work to be done under one appropriation to another?—A. That is contrary to rule. I have no power to do it.

Q. If you received an appropriation for repairs, you have no power to expend that money on the Wellington street bridge?—A. No, I have no power to do that. That is contrary to the rules.

Q. You observed the character of the materials supplied for the use of this bridge; did you consider there was an extravagant purchase?—A. I considered there was more material purchased than should have been purchased, no doubt more than was required.

Q. How was it as to quality?—A. I am not able to say except with respect to a few articles that I saw, they seemed to be of very good quality.

Q. What plan did you have adopted for filling the crib with stone at that time? Would you have carted it from Lachine, eight miles?—A. I think the plan I would have adopted would be to put enough stone into the cribs to hold them down, and wheel into them by barrows, or something of that kind, and after that bring it in by water.

Q. Then there was no objections to hauling it eight miles?—A. You have the stone at the old crib to begin with. That could not be hauled eight miles.

Q. Were the stones at the old bridge sufficient to weight that down without hauling stone from Lachine?—A. I should suppose the cribs were filled to the top, and I think they were. There ought to be enough there to load them down. I am really speaking as to that without actual knowledge of the quantity of stone that was in the old cribwork.

Q. Are you aware of the practice of stone-cutters on various works? For instance take the Sault Ste. Marie canal; how much stone cutting is going on there, how many yards?—A. That is a very large work. There are some 70,000 cubic yards of masonry in the lock; and I think on the two last visits I made they had from 60 to 75 stone masons.

Q. How many yards of ashlar were to be cut?—A. There would be about 13,000 yards.

Q. What would you say to 180 masons charged on this work for cutting stone? Of course the two works are not being carried on under like circumstances.—A. I think there would necessarily be more stone-cutters here to cut the same quantity of stone in the same time.

Q. The number of stone-cutters runs from 175 to 188, 193, and sometimes over 200 for cutting 1,500 yards. Now, you state there are 70 masons on the Sault Ste. Marie canal for cutting 13,000 yards?—A. Yes.

Q. Now, as contractor you have had large gangs of men working night and day. Has it been your practice to pay a night and day gang different prices?—A. Yes.

Q. What price do you pay your night gang when specially engaged at night?—A. I have paid extra wages at night.

Q. Have you paid the same wages?—A. Yes, I have paid the same wages night and day.

Q. Do you pay night watchmen more than day watchmen?—A. It depends upon circumstances. When we have a number of night watchmen and day watchmen, they get the same. Sometimes the night watchmen get less.

Q. What is the practice on the Intercolonial?—A. A night watchman gets no more than a day watchman; and night labourers get no more than day labourers. Overtime we pay more.

By Mr. McLeod:

Q. You said yesterday that you thought \$225,000 to \$250,000 would be a sufficient sum, as I understood you, to build these works? Is that what you intended?—A. Yes. It did not include the superstructure.

Q. You also said that the cost of masonry would be about \$25 a yard, and you gave an instance where it did cost that. But that was very hard granite?—A. It was.

Q. Can you give me an idea of the difference in cost between that very hard granite and the limestone of Montreal?—A. There is considerable difference in the cost of cutting.

Q. Could you say about what the difference would be?—A. No; it would be a good deal more.

Q. Would it be double the cost, do you think?—A. The cutting would; yes.

Q. Do you consider that the large platform to the level of the top of the canal was necessary?—A. Do you mean the roadway on which the travel passes?

Q. No; I mean the platform, the staging in the canal?—A. If I had been locally in charge of the work I should not have done it in that way; I should have taken a different course. I do not think I should have required that platform.

Q. Taking into consideration that the water was to be let out of the canal?—A. I do not think I should have required the platform. I should have done the work by derricks and large buckets, like dump carts.

Q. Would it have cost more to erect that platform during the time the water was in the canal than it would after the water was taken out?—A. My recollection is that that platform—I am not sure whether it was piles or trestles—if it were trestles it would be easier to set it without the water, and it would have cost less.

Q. Do you think there were too many platforms in the bottom?—A. I would not have adopted that plan of doing the work at all if I had been on the ground.

By Mr. Vanier:

Q. Did you not understand that Mr. Kennedy was really the man in charge of these works?—A. He was the man in charge actually upon the ground, under the general directions of Mr. Parent.

Q. Under the circumstances you think it would have been possible for Mr. Parent to discharge or suspend Mr. Kennedy if the latter was not doing right?—A. If Mr. Parent thought that Mr. Kennedy was not carrying out Mr. Parent's instructions, he should have reported him and asked to have him suspended.

Q. Do you think it would have been prudent to do so, say about the middle of April?—A. It would have been prudent to do so, because Mr. Kennedy would have asked for explanations, and if he had said, I will not carry out Mr. Parent's instructions, I am perfectly satisfied he would have been removed. But I do not know of anything of what he did or did not do, except in the instance I speak of; the Grand Trunk bridge, where, on two occasions, quite contrary to my orders, contrary to my positive orders, the track was taken up, and they were lifting the bridge and were stopping the traffic of the Grand Trunk. Whether that is Mr. Kennedy or Mr. Parent I could not say, but it was contrary to my instructions at any rate.

Q. Did you ever hear that Mr. Kennedy had been recommended as overseer on these works by such men as Senator Drummond, Senator Ogilvie and Mr. Curran?—A. I heard that within the last month or two from, I think, Mr. Parent who told me.

Q. Don't you think that being backed up by such men as these it would not have been possible to suspend him during the progress of the work?—A. I am perfectly satisfied of it, that if Mr. Kennedy had said: I will not carry out the instructions, there would not have been the slightest difficulty, notwithstanding Mr. Drummond or anybody else; he would have been suspended or dismissed.

Q. What portion of the cost has been added by the changes in the plans?—A. Well, I have not made those calculations at all. The thing can readily be ascertained by taking it from plans.

Q. You said yesterday that between \$225,000 and \$250,000 would have covered the cost of the substructure, taking into account all the circumstances. Then to find the total cost of the two bridges you would have to add the prices of the superstructures. That would make, in round figures, about \$300,000?—A. Yes, about that.

Q. So the changes would have added to the surplus cost of about \$130,000?—A. To what?

Q. To the original estimate; the original estimate was \$170,000?—A. If the proper price for the bridges complete was \$300,000 that would have exceeded the estimate by \$125,000.

Q. Don't you think that Mr. Kennedy, the superintendent, was the only man that was in immediate contact with the contractors?—A. The proper way would be for Mr. Parent to give his orders through Mr. Kennedy, no doubt about that. I would not think it right for Mr. Parent to go and interfere with the work. His interference, whatever there might be, should be through Mr. Kennedy. There is no doubt about that. I would not go on to the work and interfere with either of them.

Q. Is it not a general and invariable practice amongst engineers to transmit the orders through one head?—A. Yes.

Q. And hold that head responsible for transmitting the orders?—A. Yes.

Q. Did you know that Mr. St. Louis had offered to take charge of the construction of the Grand Trunk bridge?—A. As I told Mr. Parent, Mr. Kennedy was to have charge of the whole work going on there.

Q. I suppose all the pay-lists and all the accounts were sent to your office for final revision and approval?—A. Yes; they were certified by Mr. Parent, Mr. Kennedy, and the timekeeper, I think.

Q. But no payment was to be made unless you finally approved?—A. They would have to go through my office.

Q. The pay-list of those works were sent to you, I suppose?—A. They were all sent to me and the accounts, too.

Q. Did you receive the pay-lists in due time?—A. The first pay-list we received, I think, was about the 20th April. That is the first account for pay-list that we received.

By Mr. McLeod :

Q. Would that be for March?—A. For March and part of February. The first pay-list I received, to my own recollection, was about the 20th April.

Q. What was the reason they assigned for its not being transmitted?—A. I cannot tell you; I tried to get them before that, but there seemed to be some difficulty in having them prepared; but of course there was a large volume of papers and they had to be written out in duplicate.

Q. After Mr. Kennedy had got through with them, as I understand, Mr. Parent, in his office here, had them checked in one sense?—A. I do not know how far he checked them, but I imagined all the time, and all the rates were run out correctly, and so forth. Still, they should have been in before.

Q. The fault lay in this office here?—A. On the 15th we look to have everything in so that we may pay on the 15th.

By Mr. Vanier :

Q. What are the usual qualifications that you require from a man who is superintendent of a canal—on all canals in this country?—A. That I am not exactly in a

position to tell you. It depends on the position he holds. Of course an engineer having charge of a canal would be one of some years' experience.

Q. But I am speaking only of superintendents like Mr. Kennedy on the Lachine canal, or Mr. Beique on the Beauharnois canal, or Mr. Benoit of the Chambly canal?

—A. I really could not tell you. There have been no appointments made since I have had connection with the canal. I do not know what qualifications are required of them.

Q. Would you not expect that these men would be able to conduct the general repairs on the canal, and keep the walls and the general work in good order?—A. I would think so.

Q. Would you expect that a superintendent would be able all at once, after a few months' notice, or even a few years' notice, to undertake to carry out work as extensive as the Wellington and Grand Trunk bridges?—A. I do not think those works were extensive; they were expensive but not extensive.

Q. Perhaps a man who has been so long on the Intercolonial would not think that they were very expensive, when only a few millions have been spent on the Intercolonial. But you would not expect a man who has been a book-keeper all his life, or a clerk in a grocery store, would be able all at once to carry out works of this kind?—A. If I knew it I would not select a man who had been keeping a grocery store all his life and had done nothing else, certainly.

Q. Is it not customary for the chief engineer in your department of railways and canals to follow up the construction of works of any importance under his direction?—A. Certainly. As a rule it is the duty of the chief engineer to visit the works occasionally; no doubt about that. And under other circumstances, probably, I would have visited these works earlier than I did. But I had just taken charge of the department. I had a great many contracts—the Cornwall, the Morrisburg and the Sault canal; there were a great many works on hand that were all new to me.

Q. Do you mean to say that if you had been less occupied somewhere else, you would have followed these works a little more closely?—A. If I had had nothing to do besides these works I should have come down and looked after them, no doubt. But then our men in charge are supposed to be men, and Mr. Parent is a man of considerable experience, as I understand, for many years. He is a stranger to me, but I understand he is a man of considerable experience in canal work, and has been connected with the construction of canals for years.

MR. VANIER—I would submit to my confrères that a certain letter from Mr. Kennedy to Mr. Parent be produced here. That letter has been suppressed, and I ask specially that it shall be produced now. Mr. Parent is here, and I think the commission ought to ask him to produce that letter. I want to understand what relations existed between these two gentlemen.

MR. DOUGLAS.—I know nothing about it.

MR. McLEOD.—I know nothing about it.

MR. PARENT.—I do not know if I should be called upon to produce a letter that has been withdrawn.

MR. VANIER.—I insist that that letter shall be produced.

MR. PARENT.—It is no longer official.

MR. ARCHIBALD.—Would it not be better to produce any letter of that kind when Mr. Parent is under examination, and that it may be proved when it is produced.

MR. VANIER.—We must have it produced now. I want to question Mr. Schreiber on that letter.

MR. ARCHIBALD.—Then swear Mr. Parent to produce that letter.

MR. PARENT.—In fact the letter contains nothing else but the instructions, and a few severe words about saying that if Mr. Kennedy does not obey as he ought, and do as he ought to do, he will be suspended at once. I would like to give extracts, not the entire letter.

MR. ATWATER.—There is a letter already produced of the 4th of February. Is that the one you refer to—the one that says: He won't take any orders from you?

MR. VANIER.—That is the letter I am referring to.

MR. PARENT.—Then you have it.

MR. McLEOD.—Is it a private letter?

MR. PARENT.—No, it is an official letter, but a few days afterwards it was withdrawn.

MR. ARCHIBALD.—So far as I can learn from what Mr. Parent says, and from what Mr. Kennedy says now to me, any letter that existed in turning out matter was the result of a little tiff, which took place between Mr. Kennedy and Mr. Parent, which was subsequently made up and the letter was destroyed, or withdrawn, and the parties reconciled to each other. Now if that is the case it is certainly improper that what was the affair of a moment, what was a little temporary misunderstanding between the parties and has been made up between them, should be made the basis of some serious inquiry before this commission. It appears to me to be an attempt to make white black. You can ask Mr. Parent whether that is the case or not, you can ask Mr. Kennedy whether that is the case or not, and if both of them declare that it was the result of a temporary misunderstanding, and it was withdrawn on both sides, it appears to me it is a matter which the public have nothing to do with, and which this commission has nothing to do with. Of course if the commission want to give to the affair an appearance different to that which it really has, I cannot interpose any obstacle.

MR. McLEOD.—That is not at all the desire of the commission; we have no desire of that nature, not the slightest.

MR. VANIER.—I have no doubt the letter still exists, and I ask the production of that letter by Mr. Parent.

MR. PARENT.—I would ask leave to strike a few lines out of that letter.

MR. VANIER.—I would like to have the letter entire.

MR. PARENT.—I no longer have the letter entire.

MR. ATWATER.—I think the letter you refer to has already been produced.

MR. VANIER.—I am sure it has not been produced.

MR. ARCHIBALD.—I interpose an objection at any rate, I say this letter ought not to be produced unless it is produced by Mr. Parent himself, subject to my examination upon it.

MR. VANIER.—That is all right.

MR. KENNEDY.—So far as I am concerned, I have no objections to its being produced.

MR. ATWATER.—It seems to me the question the commission is interested in, is how far the personal differences between these two gentlemen may have retarded the progress of the work, or caused trouble. If a quarrel between these two officials has led to extra expense on these works, or to their being badly supervised, it seems to me a very material matter that these gentlemen can hardly patch up between themselves afterwards. But if it was a mere difference of opinion that led to nothing, the commission need not bother about it.

MR. PARENT.—It is a private letter and I would object decidedly to giving the whole letter. I would like to give the important part to the commission; what is not important, I do not see why I should give it.

MR. VANIER.—That will be for the commission to judge.

MR. KENNEDY.—Mr. Parent and I had a few words privately together in the office at the Wellington bridge, which ended in Mr. Parent writing me a letter. A day or so afterwards when Mr. Parent came along I asked him if he intended to keep the original of that letter on file? He said: "We were a little hasty at the time and I have not thought anything about it until now. Since you make explanations about it, we will let the matter drop." He wrote me a private letter, furnishing the original of that official letter, which was torn out of the book, as he says and was destroyed. I have no objection whatever to the letter being produced. Of course, I told him, if that letter was to be considered official and to be used, that I would write him a letter in reference to it that would not be pleasant to have on record. Mr. Parent sent the original, and he wrote me a personal letter merely telling

me it was better not to be such a slave to work, and to be less independent. I think that was the tenor of the letter.

MR. McLEOD.—I think if the letter has been withdrawn, there is no necessity of producing it.

MR. KENNEDY.—So far as that special item has been affected by it, it cannot have suffered very materially.

MR. DOUGLAS.—Would there be any objection in Mr. Archibald's producing this letter for the private examination of the commission, allowing them to judge about its being made public.

MR. ARCHIBALD.—Have you got the letter among your papers?

MR. McLEOD.—No, we have not seen it.

MR. DOUGLAS.—Suppose it is given to Mr. Archibald privately and we form our judgment upon it.

MR. ARCHIBALD.—I have no objection to that and Mr. Kennedy has no objection, but I have an objection to the production of any paper or document before any person without my having an opportunity to examine the witness at the time concerning it.

MR. DOUGLAS.—We will ask Mr. Atwater, the government lawyer, if it is necessary to produce that letter for the commission.

MR. ATWATER.—If the commission think it is necessary for them to have this letter in order to enable them to come to a conclusion as to what the relations were between these officials, or as how they may have done their work in connection with the canal, then I think they should call for it. If otherwise, if they are of opinion that the letter will not cast any light upon that point or account for the way in which the work was done, it is in their discretion to say that they do not think it necessary. They may come to a conclusion later on. Just now you are examining Mr. Schreiber, and if you think it is necessary to examine him on something contained in this correspondence between Mr. Parent and Mr. Kennedy, then, of course, you need to have that correspondence before you, and the proper course would be to call the gentlemen who wrote the letters and make them produce the letters, afterwards going on with the examination of Mr. Schreiber with regard to them. On the other hand, if you do not examine Mr. Schreiber with regard to these letters, now is not the proper time for their introduction.

MR. McLEOD.—We cannot say anything about that letter until we see it.

MR. DOUGLAS.—One of the commissioners insists upon its production. I have no reason to object if he wants it.

MR. VANIER.—I insist on having that letter before the commission, privately first.

MR. McLEOD to Mr. Parent.—Will you produce that letter?

MR. PARENT.—I will; but could I not be allowed, in my own judgment, to strike out one or two lines that have no importance?

MR. VANIER.—I insist on having the whole letter privately before the commission. I suppose you have confidence in us.

MR. PARENT.—There are portions of that letter that I have no objection at all to make public; but there is something in it that has nothing to do with the inquiry.

MR. DOUGLAS.—Say whether you will produce it or not?

MR. VANIER.—I insist.

(Letter is produced.)

MR. VANIER to Mr. Schreiber.—Would you infer from this letter from Mr. Kennedy to Mr. Parent that Mr. Kennedy was the man really in charge—the letter being dated 4th February, 1893, exhibit F 4?—A. He was really in charge of the work under the direction of Mr. Parent, no doubt about that.

Q. In that letter did not Mr. Kennedy define his attributions and the responsibility he was willing to take?—A. I should judge by that letter that Mr. Kennedy did not wish Mr. Parent to go upon the ground and give directions to the men under him, except through him. I think that is very proper. The last part of the letter goes beyond that, no doubt. Also I think Mr. Kennedy was right in saying

that he should have plans to work by. This last sentence, of course, is not nice: "I will allow no man to furnish a report to you unless through his superior officer." That is not a proper thing for a subordinate to do, no doubt. "Only when initiated by myself." That is not proper, of course. But as to the rest I must say that I think Mr. Kennedy was right. I think all instructions should be given through him. That is what I would do; that is my practice all my life.

Mr. McLEOD.—You have given us what you consider the price for removing ice, and also for the cribwork. The ice, you said, would cost about \$1.50 a yard?—A. I think I stated in giving that price that I was not present when the ice was removed, and I only gave that price upon information I had got from different parties connected with the work.

Q. 18,950 cubic yards was the estimate. Removing cribwork, what do you think it would cost to remove cribwork per yard?—A. I am aware that was a very difficult job on account of the frozen condition of the cribs. I think, under the circumstances, likely it would cost a couple of dollars a yard.

Q. Would that include carting away?—A. Yes; that would include cartage, it is only a short distance. It would certainly include cartage off the banks.

Q. Then for removing this masonry, what would be a fair price?—A. I am not in a position to say that. I think you will readily understand how impossible it is for me to arrive at any point of that kind very correctly. If the cement was very good, and there was a thorough bond to the stone, that would make it an expensive thing to tear to pieces. If, on the other hand, the mortar was not a bond to the stone, it would be very much easier and cheaper to do.

Q. Take it at the very best quality of mortar it would be just about as hard as rock?—A. Yes; very difficult to get apart. I have taken masonry apart when we had to break the stone.

Q. Supposing it were rock—would it be removed as easily as rock?—A. No; I think not, and I will tell you why. If you are removing rock, of course you blast it. On the other hand, in removing masonry, you would have to remove it more carefully to preserve the stone.

Q. What would be the price of rock excavation?—A. According to the class of rock. I would have to see the quality of the rock.

Q. How much more would it cost than a rock excavation?—A. If it was thoroughly bonded together, it would cost double the price of rock.

Q. What is the price of limestone rock excavation?—A. I do not remember what the prices are now, but I have the prices in my office. I think the very highest we have is \$1.25 for rock excavation. It runs from 95 cents to \$1.50.

Q. It would cost double that to remove this stone?—A. I think so, if the masonry was thoroughly bonded together with mortar.

Q. Say about \$3 for removing?—A. Yes; I say that.

Q. I think you gave us the price yesterday of earth excavation?—A. I think I said from \$1 to \$1.50.

Q. Of course your price for the cribwork includes the price of framing and stone filling?—A. Yes; \$2 and \$2.50. They are very large cribs. There is a greater amount of timber per yard in these cribs than there would be in narrow cribs.

Q. You stated that the price for masonry was \$25 at that season of the year?—A. Yes.

Q. Don't you think that is a high price?—A. Yes.

Q. I would like to ask your idea of the price of driving spruce piles. What is that worth a foot?—A. It depends upon the depth and upon how much they stand out of the water, and very much upon the hardness of the ground. I think 25 cents a foot was paid for driving piles under the tender. The piles were purchased, I think, under that 14,000.

By Mr. Douglas:

Q. These quantities go to the top of the ballast wall, they do not include the parapet, and in your estimate of \$25 a yard you include the parapet?—A. I include the whole thing complete for \$25.

Q. Then you have to amend your estimate by deducting the price of the parapet?—A. That would not amount to anything.

By Mr. Vanier:

Q. Was not the piling around the cribwork done against the suggestion of Mr. Parent?—A. The close piling, certainly, was contrary to his views.

Q. Did you recommend floating booms?—A. He did.

Q. Would not the cost have been less?—A. Less, undoubtedly.

By Mr. McLeod:

Q. Is there any other subject upon which you can enlighten us?—A. I do not think of anything else. I am here to answer any question.

By Mr. Archibald:

Q. You were appointed deputy minister in November last?—A. The order in council was dated 30th November.

Q. You were personally acquainted, I suppose, with the superintendent, Mr. Kennedy, at the time, were you?—A. I had never seen him.

Q. Had you any conversation with the late deputy minister, Mr. Trudeau, concerning what has transpired in the matter previous to your appointment?—A. Nothing at all.

Q. You have stated in your examination that you considered that Mr. Kennedy's position as superintendent of the canal would have actually made him the overseer of the work on the Wellington bridge?—A. I think so.

Q. Do you think that the construction of a bridge across the canal is a part of the administration of the canal?—A. I do.

By Mr. Vanier:

Q. I would like to hear your reasons?—A. My reason is this: Upon our government railways the general superintendent has charge of all the renewals, or repairs, of maintenance, as well as the Ottawa agent and the renewal of all structures.

By Mr. Archibald:

Q. But the bridge is not a part of the canal system?—A. I should think so.

Q. Has the bridge anything to do with the operation of the canal?—A. A great deal.

Q. Has not the bridge to do entirely with the traffic which goes through the streets, and not with the canal?—A. The bridge has everything to do with the canal. If the canal was not there, the bridge would not be there.

Q. But if there were no street and no traffic across the canal, the bridge would not be there?—A. That is a fact.

Q. If the bridge was not there would not the canal serve just as well?—A. This bridge is a part and parcel of the operating canal.

Q. Now, what do you judge from letters relating to Mr. Kennedy's position upon that bridge?—A. According to the letter I see there Mr. Kennedy evidently considered that he had charge of that bridge—I mean the letter that was read last.

Q. But not as superintendent of the canal?—A. He signed as superintendent of the canal.

Q. Does not the letter appoint him overseer of the bridge, specially?—A. I am not speaking of the letter appointing him. I am speaking of the letter that Mr. Kennedy wrote to Mr. Parent.

Q. But that is under his appointment as overseer of the bridge, is it not?—A. No doubt in connection with his office.

Q. Have you not observed the letter there in which you appoint him overseer of the work on that bridge?—A. I have seen it.

Q. Now, does not that letter prove that in the department here that bridge was not considered to be under the administration of the superintendent of the canal?—
A.—Since I have been in connection with the canal my instructions to Mr. Parent were that Mr. Kennedy, as superintendent of the canal, acted under him and was in charge of all these works. That is all I can speak of.

Q. Will you look at the letter of 28th November, 1892, from Mr. Parent to Mr. Kennedy, and say if that does not define what Mr. Kennedy's position was—exhibit F 3?—A. What I see is he is spoken of as superintendent.

Q. Now, you say that Mr. Kennedy's instructions are contained in that letter of 28th November?—A. At that time.

Q. Does that letter refer to any other bridge except the Wellington bridge?—
A. I think not.

Q. So that Mr. Kennedy's instructions related to the Wellington bridge?—A. Those instructions did.

Q. Will you be able to show me whether he had got any other instructions except those?—A. I can tell you that I gave Mr. Parent instructions that Mr. Kennedy was in charge of all the work.

Q. When did you give Mr. Parent those instructions?—A. I gave Mr. Parent those instructions before the work was actually commenced on the bridge.

Q. What period before?—A. I do not remember.

Q. How did you do it?—A. By letter; you will find there a letter from me to Mr. Parent, in which I state that he is responsible for all the work on the canal. I have not control of the letters.

Q. That Mr. Parent is in control of the whole works?—A. That Mr. Parent has charge.

Q. Is your letter to Mr. Parent of December 23rd, the one you refer to?—A. Yes.

Q. This is the only letter which you have written?—A. No, I think not.

Q. Well, if you have written any other letter by which you have given Mr. Kennedy charge of the Grand Trunk bridge, will you kindly show it?—A. I do not think I have. But I have given Mr. Parent instructions verbally about it over and over again.

Q. Have you given him any written instructions?—A. I do not remember.

Q. Are you able to say that Mr. Kennedy ever received any other instructions except those contained in the letter of November 18th above referred to?—A. I cannot speak as to what Mr. Parent may have directed Mr. Kennedy. All I can say is that on the 6th April, upon the occasion of my coming down here, when I was on the works with Mr. Kennedy, I said: "Now, Mr. Kennedy, you understand you have full charge of these works under Mr. Parent, all the works."

Q. Did you specially mention the Grand Trunk works?—A. I said all the works.

Q. Now, can you remember whether you did not, on that occasion, urge Mr. Kennedy to go and take the same charge over the Grand Trunk bridge?—A. I did not urge him to take charge of anything. I told him he had charge.

Q. Did he not object?—A. He did not object, although I had heard from Mr. Parent that he would prefer not to have anything to do with it, and I told Mr. Parent that either Mr. Kennedy had to carry out the instructions or he would have to retire from the staff.

Q. You told him then on the 6th April that he had to take charge of the Grand Trunk bridge?—A. No, I did not. You are putting words into my mouth.

Q. What did you say?—A. I told you just now that I mentioned to Mr. Kennedy that he had charge of all the works.

Q. Was there not a special question of the Grand Trunk bridge at that time?—
A. Certainly not with Mr. Kennedy.

Q. Did you not at that time say that you thought that the men employed on the Grand Trunk bridge were too numerous and that they required to be looked after?—
A. I did.

Q. Now, are you not aware that Mr. Kennedy objected to take charge of that bridge?—A. I am aware of just what I tell you, that on one occasion Mr. Parent told me that Mr. Kennedy preferred not to take charge of the bridge, and I told

Mr. Parent that if Mr. Kennedy refused to carry out orders and take charge of the bridge he should retire.

Q. Now, you are somewhat aware of the extent of the work going on in connection with the Wellington bridge?—A. I am.

Q. There was a considerable amount of work going on there, day work and night work?—A. There was, and Sunday work also.

Q. Now, in your judgment, was there not enough work there for a man to do?—A. There was enough work. There is no more difficulty in taking charge of the two bridges than of the one, not a bit.

Q. You think so?—A. Yes, I am sure of that.

Q. And performing the general duties of superintendent of the canal at the same time?—A. And all the winter duties of the canal.

Q. What is your opinion?—A. That is my opinion.

Q. Now, when you spoke to Mr. Kennedy about his taking charge of the whole work, where were you?—A. At the bridge.

Q. Which bridge?—A. At the works there.

Q. On the Wellington bridge?—A. On the works. I went over the works with Mr. Kennedy.

Q. Who was with you besides Mr. Kennedy?—A. Mr. Parent, I think, was there that day with me.

Q. So that what Mr. Parent told you was told you when the three of you were together?—A. No, I did not say that.

Q. Well, what did you say?—A. I did not say that.

Q. Were you three together when Mr. Parent told you that Mr. Kennedy objected to take charge of the canal?—A. No, I do not think so.

Q. Are you sure you were not together?—A. Yes, I am sure.

Q. Where did Mr. Parent tell you that?—A. I cannot remember. Somewhere about the bridge, at the time we were at the works.

Q. Your remarks to Mr. Kennedy were founded upon what Mr. Parent told you?—A. Well, I do not know that they were. My recollection is it was something that Mr. Kennedy said that made me tell him that.

Q. What did he say that made you tell him that?—A. I cannot remember.

Q. What was the nature of the remark?—A. I do not remember. It was something in connection with the works. I said: "Mr. Kennedy, you must perfectly understand that you are in full charge of the works here."

Q. Then he claimed that he was not in charge?—A. No, he did not do anything of the kind.

Q. Then why did you say that he must understand that he was in charge?—A. Because he was complaining about something—I forget what it was.

Q. Complaining about something in relation to what?—A. I suppose something in connection with the works.

Q. With the Grand Trunk bridge?—A. I do not remember.

Q. Now, have you any reason to know that previous to the 6th April of which you have spoken, Mr. Kennedy supposed himself to be in charge of the Grand Trunk bridge in any way?—A. I do not know what Mr. Kennedy supposed; I only know what my instructions to Mr. Parent were.

Q. You have no knowledge whether Mr. Kennedy had any instructions except those contained in that letter of November 28th?—A. Any instructions I gave, were through Mr. Parent.

Q. But you do not know whether Mr. Parent communicated them or not?—A. I do not know.

Q. Now, are you able to swear that you ever told Mr. Parent that Mr. Kennedy was to conduct the Grand Trunk bridge?—A. Mr. Archibald, if you wish to know whether I lie or not, I do not lie.

Q. I do not wish to say that?—A. I maintain what I told you before, and I say now I did say so.

Q. Now, can you say when you did so?—A. No, I cannot say.

Q. Was it in December?—A. It was before the works commenced. Yes, it was in December.

Q. Now, is it not a fact that in December it was understood that the Grand Trunk was to build their own bridge?—A. No, it was not understood the Grand Trunk was to build their own bridge. It was not known how it was to be built.

Q. Then how did you happen to make special reference to the Grand Trunk bridge?—A. I did not make special reference. I said he was in charge of all the works on the canal.

Q. All the works with regard to the administration of the canal?—A. With regard to maintenance, repairs, renewals and the operations.

Q. And that is all you said? You never said anything specially about these bridges?—A. I did afterwards. When the work was undertaken I told Mr. Parent several times about it.

Q. That is to say, you still kept telling Mr. Parent that Mr. Kennedy had to do it?—A. Yes.

Q. How late did you keep telling him that?—A. Upon the occasion when, as I said, Mr. Parent said that Mr. Kennedy would prefer not to have anything to do with it.

Q. That was on April 8th?—A. No; it was not.

Q. You said so before?—A. No; I said that I spoke to Mr. Kennedy and said to him that he had charge of the bridge, that he must understand he was responsible for everything.

Q. Was that the only time you spoke to Mr. Kennedy about it?—A. I think it is likely, the time I was down with them over both works.

Q. How many times were you down?—A. I was down on the 6th April. I think I was down about the 20th April, and again, I think, about the 10th or 12th May.

Q. And before the 6th April?—A. I was down only once—I think that was the first day of January.

Q. There was not much work going on then?—A. No.

Q. So after all the first time you went over the work with Mr. Kennedy was on the 6th April?—A. That is the first time I was over the works.

Q. And that is the first time you told him he had to do with the Grand Trunk bridge?—A. No; I did not. You put the words in my mouth.

Q. But you told him he must understand he had charge?—A. I said "You understand, Mr. Kennedy, that you have full charge here. No one can interfere in any way with you."

Q. Try and recollect whether Mr. Kennedy did not object to that?—A. No; Mr. Kennedy did not object, I have no hesitation in saying it. He never did to me, never made any objection. As far as Mr. Kennedy is concerned, in talking of the works he always seemed to be ready to do anything, so far as I know.

Q. The work was pretty well advanced on the 6th April?—A. The works were far advanced.

Q. The piers had been finished?—A. The abutments were finished, I think.

Q. And the centre pier pretty nearly finished?—A. I do not think so.

Q. Did he promise you upon that occasion that upon a given date he would have the centre pier absolutely finished?—A. I cannot say on that date, but he stated on perhaps more than one occasion that he would have it done and have the water in the canal on the first of May.

Q. And he accomplished that?—A. He did.

Q. Now, you have stated that this investigation was taken up in consequence of a report from you?—A. I think so.

Q. How did you get your information upon which to base that report?—A. That first report was based upon the pay rolls and the account that came in so largely exceeding the estimated cost of the work.

Q. Now you had an officer down here representing you for some time in a sort of nondescript capacity. Will you please say whether that officer reported anything?—A. I forget whether he did in writing; I am not sure.

Q. Look over these letters and say whether they are copies of letters you received from that officer—exhibit C 62?—A. Yes; they are.

Q. Will you please be a little more explicit as to the nature of the duties which you fancy an overseer or superintendent of the construction of the work, ought to assume?—A. The overseer or superintendent of the canal should be upon the ground to organize generally, under the general direction of Mr. Parent, the staff of employees there, place them at work, state how many men are required, make requisitions for men under the contract for labour, &c.

Q. Place the derricks, I suppose?—A. Quite so; do the general work upon the ground.

Q. Should he have anything to do with the local position of the work?—A. No, I do not think so; nothing at all. That should be laid out by the engineer.

Q. The materials of which the work was to be constructed?—A. That would be a part of his duties.

Q. To regulate the kind of material?—A. Not exactly so. He would have something to do with that, but in consultation with Mr. Parent. Mr. Parent should receive the tenders for these different classes of work.

Q. But it would be the duty of the engineer to say whether the stone should be rock faced or boucharded stone?—A. That would not be Mr. Kennedy's duty; that would be general instructions from Mr. Parent.

Q. And authorize the position of the various works?—A. That he would have nothing to do with at all. All he would have to do would be to see that his men built the structures, and the different parts of the structures, in the positions that were staked out for them.

Q. And with the materials which the engineer ordered?—A. With the materials which were required for the work.

Q. Now with regard to this pine; is pine any better than hemlock under water?—A. I think one is about as good as the other; I think one is as serviceable as the other.

Q. You have spoken of the false work, and that they were pretty extensive?—A. Yes; I think they were.

Q. Now, you were there in January?—A. I was.

Q. Were there any false works there at the time?—A. I do not think there were.

Q. Any shanties constructed then?—A. I do not think so.

Q. Nor the temporary bridge?—A. Nothing of that kind. I think they had just started to bring the stone under contract.

Q. Would you detail a little as to the portions of the false works which you think were unnecessary? In the first place, the temporary bridge—is that unnecessary?—A. I think the temporary bridge was an advantage as it turned out, to run the traffic over.

Q. Could traffic have got over in any other way?—A. While they were tearing the bridge down, the traffic would have been delayed. The people would have had to go round to one of the other bridges.

Q. Do you know the size of that temporary bridge?—A. I do not remember just now.

Q. What is the width of the canal?—A. 275 feet is the standard.

Q. There would be some approaches, also would there not?—A. I think there were.

Q. So it is likely the bridge would be about 300 feet in length?—A. I think it is likely, or 275 feet.

Q. Do you know what the width of it was?—A. I do not exactly.

Q. In the neighbourhood of 40 feet I presume?—A. I should think about 32 feet.

Q. Are you aware it was double planked?—A. I think it was.

Q. Do you think that where you have loads of perhaps four tons of stone passing over, a double planking was requisite?—A. I think it would be an advantage to have double planking, except that the timbers were very close, and I think they were.

Q. But even then, do you suppose that with such heavy loads——? A. I think three-inch plank would do.

Q. Then there would be requisite some supports for this bridge underneath?—A. Yes.

Q. So that a huge quantity of timber would be used in that temporary bridge?—A. If it is the one I speak of. A structure of that kind, although it looks to be a very expensive thing, would be defensible, because the lumber would be available afterwards for the permanent work, or should be in stock.

Q. If some body had not carried it away?—A. Yes.

Q. But that bridge was necessary, was it not?—A. I think it was an advantage to the traffic in the streets.

Q. It was not necessary for the building of the work, but to prevent delay in the traffic?—A. It would have been hindered for a day or two.

Q. Now, there was a sliding runway down in that canal; what do you think of that?—A. I would not have carried the work out exactly on the plan that was adopted. I should have used derricks to bring up the materials.

Q. You think it could have been done more cheaply?—A. I think so.

Q. Are you sure you were not there in March?—A. I do not think so, for this reason: my memory only serves me in this way, that before I left Ottawa I looked through the accounts of my travelling expenses, and that is all I can judge by, and the dates.

Q. You do not think you would have failed to charge the government with anything you had spent?—A. I do not think so.

Q. So you do not think you were there much?—A. I think not, I would not have been there much, it was in the middle of the session.

Q. Now, could you form any estimate of the amount of extra expenditure that would be caused by doing this work in the manner in which it was done, I mean the temporary work, over and above what it would have cost if some more scientific method had been adopted?—A. I could not.

Q. Would it be considerable?—A. Yes.

Q. As much as 15 or 20 thousand dollars?—A. I could not say.

Q. Would you think that an extravagant estimate?—A. I could not say; I have not figured it up.

Q. Now you are aware that last winter was a very severe winter?—A. I am.

Q. Don't you think it was necessary to have a good many shelters of one kind and another in the neighbourhood of the works?—A. For what purpose?

Q. For all the purposes necessary for the work. You as an engineer, I presume, would know better than I do. You saw a number of houses there?—A. I did.

Q. Did you think there were more than was necessary?—A. I think there were.

Q. Well, I suppose it was necessary, at any rate, to have sheds in which to preserve the tools?—A. There should be tool boxes, not sheds—or a shed.

Q. Taking into the account the manner in which it was resolved to conduct that work, by a runway down into the canal, I presume the flooring for the bridge work in the bottom of the canal would be necessary?—A. To do it in that way, it would be.

Q. When you were there on the 6th April, did you call anybody's attention to the over expenditure on that kind of work?—A. I do not know that I spoke of a y over expenditure. I did not know at that time what the expenditure was, but I did think, as I think now, that a great deal of that temporary work was unnecessary.

Q. And you probably kept that thought in your head, did you not?—A. I do not know whether I did or not. I know this, that after the 20th—I do not know but that it was before the 20th—I knew there must necessarily be trouble about the expenses.

Q. You felt that in your own mind?—A. After the 20th.

Q. But you did not make a remark to anybody?—A. Oh, yes; I did.

Q. To whom?—A. To Mr. Parent and to Mr. Kennedy, both.

Q. Did you make the remark after the 20th?—A. Yes.

Q. How long after the 20th?—A. I presume it was the time I was down there on the 20th.

Q. Perhaps it was in May?—A. No; it was not in May. But I did also in May.

Q. Are you perfectly certain you did so on the 20th April?—A. I am perfectly certain.

Q. That you mentioned that to Mr. Parent and Mr. Kennedy?—A. Quite so.

Q. Now what do you think of the comparative cost of doing the excavation by means of throwing the material up stage by stage, instead of by derricks?—A. I think it would be better to do it by derricks.

Q. Especially, I presume, for deep work?—A. For deep work, decidedly.

Q. In your judgment what space is necessary in an excavation for a man to work in?—A. It depends very much upon circumstances. On the face he will require at least two feet and a half.

Q. In the excavation of an abutment 23 or 24 feet in width by an average of 90 feet in length, how many men could comfortably work?—A. I think we might work with two and a half feet to a man.

Q. That is along each face?—A. I think so. That would be only one face to each abutment. There is high ground on the one side. When they got below you could not work so many men.

Q. But with an excavation of 23 or 24 feet in width, could not another man work on the bank of the excavation?—A. You have to fill your barrels or carts. This second man has to have room to shovel into the carts.

Q. But you cannot get a cart down into the excavation very far. Suppose these large tubs were used for that purpose, how many men could comfortably work, taking pick men and shovel men, in an excavation of that sort?—A. I suppose about 28 men.

Q. That would give a great many less men than you have previously stated. You said two and a half feet to a man on one face. Two and a half feet into 90, is how much?—A. About 36 to 40 men could work. I do not think more than 40 men could work there to advantage.

Q. So that if there were 50 men you would think they were over crowded?—A. Yes; more than could work to advantage. Understand, I would not say that if they could throw the material out on both sides. But one side is a high bank.

Q. But could not a number of men pick on the back of it, while the shovel men were loading the tubs in front, and the next time the tubs descended they would go to the back and work there?—A. But how would the shovel men work at the back when the pick men were in front?

Q. The shovel men would be working in the front where the tubs were, and the pick men would be picking at the back, and the tubs would descend at the back next time, and alternate?—A. I think about 40 men.

Q. Where work has to be done both by night and day, particularly in very cold weather, can you get as much work out of a night-gang as you can out of a day-gang?—A. I do not think so.

Q. About what proportion?—A. I could not say.

Q. Will you get more than two-thirds as much out of a night-gang?—A. Probably three-quarters. I do not think you would get as much out of night men as out of day men.

Q. And with the thermometer below zero, can you ever get as much work as in good temperature?—A. Oh, no.

Q. Not nearly so much?—A. Not as much.

Q. How much less? Could you get three-fourths as much?—A. I would not like to state. I do not think you could get as much.

Q. Now there is another thing I would like to ask you about as a practical man, in the construction of the cribwork. Can you account for every foot of timber that is bought for the cribwork?—A. No, you cannot account for every foot that is bought for it, but you ought to be able to account for every foot that is in the work.

Q. I mean is it wasted?—A. There is always some waste.

Q. What waste arises in the building of cribwork?—A. There is always some waste.

Q. How much percentage?—A. A very small percentage.

Q. Ten per cent?—A. I do not think anything like it.

Q. Now, that would depend a great deal upon the time there was for the selection of materials, would it not?—A. I do not think it would very materially.

Q. Supposing a stick was wanted of a certain length and none was on hand at the time?—A. There might be an instance of a stick wanted of a certain length and they might not have it on hand, and there might be some waste.

Q. And they would take a stick of a different length?—A. Yes.

Q. Would not that waste be probably increased by the fact of the work proceeding when the responsible head was not there, in the night?—A. It depends very largely upon foremen he had in charge.

Q. Without good foremen, the waste would be considerable?—A. The waste would be more, no doubt.

Q. So far as I can understand, the plan which is produced here shows only one longitudinal?—A. I do not know anything about the plans, but I know the number of longitudinals was increased. I increased them.

Q. I think the plan shows only one longitudinal?—A. I am aware there was more than that.

Q. Do you remember having a conversation with Mr. Kennedy on that subject?—A. I do.

Q. What was the nature of that conversation?—A. Mr. Kennedy suggested that there were not longitudinals enough, and on looking at the matter with him I quite agreed with him. Mr. Parent was not with us at the moment, but when I saw him afterwards I told him that Mr. Kennedy had suggested this, and I quite approved of his suggestion, and thought that he had better carry it out.

Q. And it was carried out?—Yes.

Q. And instead of one longitudinal, which was provided for, three were put in?—A. Three were put in.

Q. Now, with regard to these longitudinals, it would be pretty hard to ascertain now exactly what the overhang was at the meeting of the different sticks, would it not?—A. I could not tell you how much they did overlap.

Q. The probability is that if one stick did not come right, it would be allowed to remain there, and the other stick would be placed on the cross-tie, so that there might be considerable overlapping?—A. There might be overlapping.

Q. So that in measuring the timber now in the crib, taking into consideration the circumstances, a very considerable percentage ought to be allowed for waste in the material?—A. There would be waste.

Q. You have spoken about the cause of the suspension of Mr. Kennedy and Mr. Parent, and have stated that it was in consequence of their not carrying out instructions. What instructions did you refer to?—A. I refer to the stoppage of the work. The work on the locks was not to be carried out, the government decided not to rebuild that, and afterwards Mr. Parent had that in writing from me. Afterwards he went on, and as I explained in that letter, Mr. Parent did not say in that letter he had given Mr. Kennedy instructions, but he said he had spoken to Mr. St. Louis and told him to go on; but afterwards, in looking through his letter book, I found a letter to Mr. Kennedy informing him that this work was not to be done.

Q. But at the same time Mr. Parent informed you that he had himself given instructions to Mr. St. Louis to stop?—A. Just verbally, just as I have stated in that letter. That was his recollection. He had no recollection of having said anything to Mr. Kennedy, but it turned out afterwards by his letter book that he had written to Mr. Kennedy, which he had forgotten.

Q. And was that the only reason for suspension of those officers?—A. That is what I understood was the reason. I never carried out anything but the instructions from the minister. I understood that was the reason.

Q. It was not, then, in consequence of the excess of the cost of the bridges that they were suspended?—A. I think not. I understood it was for disobedience of orders, not carrying out orders.

Q. Were you present when Mr. Kennedy or Mr. Parent was suspended, or did you personally do it?—A. I personally did it in the office here.

Q. Was Mr. Kennedy present at the time?—A. I think Mr. Kennedy was present.

Q. Did he ask you, or did you state to him, the reasons of his suspension at the time?—A. I do not think I did.

Q. Did he ask you for them?—A. He may have done so, but I do not know that he did.

Q. Do you know how much stone was cut for lock No. 1 after that time?—A. I do not remember the number of yards, but I remember nearly the whole of the pay roll was with regard to it.

Q. They seemed to have interpreted your instructions to stop cutting for the canal bridge instead of lock No. 1?—A. I did not receive that pay roll for the the lock work until, I think, in May.

Q. You have stated that the piling around the crib work was against Mr. Parent's opinion. How do you know that fact?—A. Mr. Parent suggested to me that instead of piling it should be joint booms.

Q. There was a contract for that piling, was there not?—A. Yes.

Q. A contract given by the department?—A. Yes.

Q. Who had that contract?—A. Hood.

Q. How did that contract happen to be given?—A. I really forget now. I suppose there were tenders for it.

Q. I suppose some engineer or other must have directed it?—A. Yes, no doubt; Mr. Parent received the tenders, I think.

Q. You do not hold Mr. Kennedy anyways responsible for that?—A. No, not at all, not in any way, neither him nor Mr. Parent.

Q. Now, a letter has been presented to you for your opinion, written by Mr. Kennedy to Mr. Parent, complaining that the engineer should take information and reports from persons under him, without coming to himself. Do you consider that communications between Mr. Parent and Mr. Kennedy should have been directed to Mr. Kennedy? Do you consider that letter well founded in its complaint?—A. I think portions of that letter are well founded. I think the closing sentence is an improper one.

Q. It indicates a certain hastiness, as if it were written a little in anger?—A. Yes.

Q. Would you judge from that closing sentence that something of which Mr. Kennedy complained had previously been done, and that he objected to it?—A. Of course there must have been some cause for it.

Q. Did you understand the cause related to Mr. Parent or to Mr. Desbarats?—A. I should think it was something that Mr. Desbarats had done.

Q. You do not think it indicates friction between Mr. Parent and Mr. Kennedy personally?—A. Well, it looks as if that is what gave rise to it. But I think that last sentence is not a proper one.

Q. It is not quite parliamentary? You know sometimes people will say a little more when they are angry than they ought to?—A. Sometimes they do.

Q. You have stated that Mr. Desbarats is still in the employ of the department?—A. Yes.

Q. He was not relieved of his functions here through absolute censure of the department?—A. The reason he was relieved from duty here was that we considered the engineer was sufficient without him.

Q. But then, Mr. Papineau was subsequently put in charge?—A. Yes, he was.

Q. Mr. Papineau was not here before Mr. Desbarats left?—A. Yes, he was here, he was employed in the office here.

Q. At any rate, Mr. Desbarats did not seem to be necessary on the work?—A. Well, I did not think so, though I suppose my predecessor must have thought so.

Q. Well, didn't you come to the conclusion that he was not getting on very well?—A. I came to the conclusion that it was not necessary to have that number of engineers.

Q. Besides there was some friction?—A. I knew nothing of any friction, had never heard a word about it up to that time.

Q. Now, you have mentioned something about political reasons for the excessive cost of this work? What do you mean?—A. I can give no meaning to it. I merely quoted what Mr. Parent said. I have not given it as any reason myself. I was asked to request Mr. Kennedy and Mr. Parent to give me an explanation of the cost of this work, and I gave the explanations, as they were given to me. I had no idea what he meant by it.

Q. By political reasons?—A. No, I had no idea.

Q. Do you suppose it might refer to the manner of employing labour?—A. I do not know.

Q. I understood from you yesterday that you considered the employment of labour by contract rather an unnecessary proceeding?—A. Well the minister does not approve of it very much, and unless Mr. Parent had recommended, he would not have accepted the tender, I think. But I have not the same objection to it that he has, if properly conducted.

Q. But supposing it to be true, supposing you do employ labour by contract, I presume the contractor will require to obtain the labour at a cheaper rate than he furnishes it?—A. We have nothing whatever to do with that. If he can get it for nothing, it is nothing to us.

Q. Then it will immediately become the interest of the contractor to get the labour as cheaply as he can?—A. Certainly.

Q. Do you think that would be of any serious importance when you come to consider the necessity of the selection of men? Would it not be the interest of the contractor to get his men as cheaply as possible, independently of their quality?—A. But it was understood perfectly there would be nothing but good men, and that Mr. Kennedy and Mr. Parent were to be the judges, and if the contractor supplied men upon requisition that were not suitable, or if none of them were suitable, Mr. Kennedy and Mr. Parent could dismiss them.

Q. But don't you think that political reasons might come in there?—A. I do not know anything about political reasons.

Q. Now, if you are going to build for yourself, would you employ that method?—A. No; I do not think I would.

Q. Do you think it is a considerable advantage to an employer of labour to have the payment of his men in his own hands?—A. I would not say that under all circumstances, but I think if they were working for myself I could control my men sufficiently. Mr. Parent's argument was that the contractor, if he got them by contract in that way, had control of these men; he knew where to lay his hands on these men, that he generally has the best of men. That was his argument in favour of this plan.

Q. Then when they came to work and somebody else was paying them, would not the man who had oversight of the work lose a certain portion of influence over the men when he was not paying them?—A. I should think not, and I think the very moment he found he had no influence over them, he would sack them. That is what I would do. A man that would not carry out my instructions I should certainly sack him, and I think Mr. Kennedy would, for he has got lots of snap.

Q. You observed that, I suppose, in the conduct of the work?—A. Yes; I give him credit for that.

Q. Now what reasons did Mr. Kennedy give? Did he give you any political reasons for the excessive cost?—A. He did not.

Q. Do you remember what the reasons were?—A. Yes; they were fresh on my memory when I read that letter. They were precisely the same reasons as Mr. Parent gave, with that exception. Mr. Parent explained that the excessive expenditure is due to the large amount of ice which had to be cut up and carted away, to the frozen condition of the excavation, to the breaking away of the cofferdam on two

occasions, to the frozen condition of the cribwork and other obstructions which had to be removed; and, as I understand him to say, political interference. Superintendent Kennedy attributes it to all the causes named by Mr. Parent except the last.

Q. Now, were all these causes good fair reasons for increasing the costs?—

A. They were good fair reasons for the work costing a greater amount than it would have cost in the summer season.

Q. Now, what damage do you suppose would arise from the backing up of the river into the works, as it did, I think on the 20th and 21st? Was it backed up when you were there?—A. It was backed up on one occasion when I was there.

Q. Did you have occasion to see that damage had been done by the backing up of the water?—A. I did not see where the damage was, but I remember the men were there idle at the time owing to that.

Q. Did you ascertain whether that cofferdam was broken at that time?—A. Well, I saw the water coming in; I saw the water was rising very high. But I think it was backed up from the river on that occasion and overflowed the cofferdam. That did occur, but I do not remember on which occasion.

Q. Would that be liable to occasion considerable extra delay?—A. It did occasion delay. I remember the cribwork was stopped.

Q. Are you aware that some accidents occurred also in the progress of the work—an accident to a derrick?—A. I heard of that as well.

Q. That, I suppose, would destroy some of the timber connected with the derricks?—A. The masts were destroyed, I think.

Q. Do you know of a second derrick being completely destroyed?—A. Not there. I think I heard of one at St. Gabriel break.

Q. Now, you stated that you had given express orders against the removal of the Grand Trunk bridge?—A. I gave two orders in connection with the Grand Trunk bridge, which were certainly disobeyed by some one.

Q. About what time did you give those orders?—A. One must have been quite early in the work, I should say, and the other must have been towards the close of the work.

Q. To whom did you give those orders?—A. Mr. Parent.

Q. Did you ever have any subsequent conversation with Mr. Kennedy about it?

—A. I think not upon the first occasion, but upon the latter occasion we did speak of it.

Q. What did you say to him?—A. I do not remember now.

Q. Did you tell him that you had given orders and that they had been disobeyed?—A. I think it is likely I did.

Q. Did he tell you then that he knew nothing about it?—A. Who?

Q. Mr. Kennedy?—A. I think he did, very likely he did, but I would not be positive.

Q. You know nothing by which Mr. Kennedy can be held responsible for a breach of these orders?—A. All I know about it is that I gave instructions to Mr. Parent, and I know afterwards that it was torn up. It was torn up on two occasions.

Further examination of this witness adjourned.

The commission adjourned.

S. A. ABBOTT, *Stenographer.*

MONTREAL, 21st July, 1893.

Afternoon Sitting.

Mr. SCHREIBER continued.

By Mr. Atwater :

Q. Where were the original plans prepared?—A. I am unable to say. When I called for them they were produced from here. Mr. Parent furnished them.

Q. When did you first call for the plans?—A. It must have been towards the end of January or beginning of February.

Q. Was that about the time the alteration was made in the depth of the canal?—A. Yes, I think it probably would be.

Q. Were you providing them for 22 feet depth?—A. Yes, I remember getting instructions that that was the depth intended.

Q. So that this alteration in the depth was made, as far as you recollect, about the end of January or the beginning of February?—A. I do not say that. That is what was intimated to me by the minister, that 22 feet was what was intended.

Q. As far as you know?—A. I only give what the minister told me. He said the estimates were made for a certain depth and then to provide for this greater depth.

Q. In other words, he gave you instructions to provide for greater depth?—A. Not to me. That apparently was done before. I estimated for a greater depth. That is what I understood the minister to intimate.

Q. What did the original plans provide for?—A. The same depth as the plans upon which the structure was built. I am speaking now only from memory.

Q. Have you that first estimate here for the bridges?—A. It is amongst these papers.

Q. As I understand it, the original estimate was prepared before you were chief engineer?—A. Yes.

Q. Mr. Trudeau was chief engineer then?—A. He was. It was Mr. Trudeau who made the first report to the minister with reference to the proposed cost of the bridge.

Q. I think you said, in your first examination, that you were under the impression that the original estimate had provided for the substructure of the two bridges. Are you sure of that?—A. I am not sure of it. I only know that I was told that the estimate was for the two bridges.

Q. Might not what you were told have related to the superstructure of the two bridges and not to the substructure?—A. What I was informed was that the estimate sent in covered the work to be done on the two bridges.

Q. Of the substructure?—A. No, I am just telling you what I was told.

Q. Who told you that?—A. Mr. Mothersill. He was chief clerk in Mr. Page's office.

Q. I suppose that whoever prepared these plans would be the party who would know what the original estimate provided for?—A. I am not able to say. I can only repeat that the minister informed me that the estimate was a certain figure such as you have there; that he then called on Mr. Trudeau to give an estimate of the cost if the depth were increased, and that Mr. Trudeau was sent for and came up. I do not know if he saw the minister, but I think not. I think that Mr. Trudeau, after going into the matter with Mr. Parent, said: "Mr. Parent has made an estimate and it would be an increase of \$40,000." That is what the minister says.

Q. Over the original estimate?—A. Yes.

Q. That is that \$40,000 were to provide for the additional depth over the original estimate?—A. Yes.

Q. Were you consulted with regard to that addition and its costs?—A. No, that money was voted before I had anything to do with it.

Q. With regard to the additional \$40,000?—A. That was included in the original grant.

Q. I thought the original appropriation was for \$175,000?—A. Perhaps it was.

Q. If it was, it would not include the additional \$40,000?—A. I should think not.

Q. You are not prepared to state whether the original estimate, for which the appropriation of \$175,000 was granted, provided for the substructure of the Grand Trunk bridge at all?—A. Personally, I know nothing at all about it, but only what I have heard since.

Q. Would you look at copy of letter from the chief engineer, Mr. Trudeau, on the 19th of October, 1892, addressed to the minister, in which he makes this statement: "With reference to the matter of the proposed construction of a larger bridge at Wellington street, Montreal, crossing the Lachine canal in place of the existing one, in order to relieve the traffic at this point which is far outgrowing the existing accommodation," that is the way the deputy minister, at the time opened his report. From that phrase, would you conclude that the estimate provided for more than the one bridge at Wellington street?—A. You mean looking at that sentence and seeing nothing else.

Q. No, but looking at that letter and the way he commences and then taking into consideration the estimate?—A. It did refer to the two bridges evidently.

Q. So far as the superstructure is concerned, but is it not a fact that in the estimate the superstructure is stated distinctly to refer to the two bridges?—A. Yes.

Q. In any other part of the estimate, do you find the two bridges distinctly referred to?—A. It does not mention any bridge, but gives stone so much, cement so much, &c.

Q. Looking at that letter from the deputy minister at the time, would you say that Mr. Trudeau's intention was to report as to the cost of the substructure of both bridges?—A. I am quite unable to say. I only know it would not be sufficient. I am quite satisfied as to that.

Q. The estimate was insufficient?—A. Yes.

Q. It was insufficient even for the Wellington street?—A. The \$175,000 was.

Q. After deducting the cost of the superstructure?—A. I would have to figure out the quantities separately. Could not tell you.

Q. Look at that original estimate. Could you tell how many cubic yards of stone were estimated for?—A. I think so. No, that merely gives money. It says: Stone so many thousand dollars. Could not tell you.

Q. Knowing what you do of the price of stone, how much would that provide for?—A. My recollection of the cost of the stone was, say with the asphalt outside, \$6 per yard, and the other was \$2 a yard. The average of that would not be anything like the quantity of outside stone there is to the interior.

Q. Take it at \$5 a yard, the original estimate provided for 1,605 yards of stone?—A. Yes, supposing it was \$5.

Q. Could you tell by calculation from this original estimate, how much the masonry would have cost, including labour and everything? I presume that in your calculation of the cost of masonry, you include labour, cement, sand and everything?—A. Yes.

Q. From this original estimate could you arrive at any conclusion as to what the masonry was intended to cost?—A. No, because labour for everything was apparently put in there—tearing down the old cribwork, &c.

Q. The original estimate only provided \$33,000 for labour?—A. Yes.

Q. And it provided for only \$14,000 for the materials which would go into the masonry provided for?—A. Apparently so.

Q. That would be all the materials that would go into the masonry?—A. Yes.

Q. And the \$33,000 in the original estimate was for labour not only on the masonry, but on the work?—A. I know nothing about this but only assume it.

Q. This is the estimate on which the original appropriation of \$175,000 was based, was it not?—A. Yes.

Q. I am asking you from your knowledge, as an engineer in charge of the department, whether you can say that the original estimate provided for certain work connected with the bridges?—A. All I can say is that the crib would have to be removed, and the estimate would have covered that. Whether it did or not, I cannot say. I think there is a letter from Mr. Parent to me dated, I think, in June. I have not seen that here, but it might throw some light upon the matter.

By Mr. Archibald :

Q. I have a copy before me and intend calling your attention to it later. It is dated 12th of May?—A. That is the letter.

(Letter filed as exhibit 66).

Q. When did you receive this letter?—A. It is dated 12th May, and no doubt was received the day following.

Q. Was it before or after Mr. Parent's suspension?

Mr. PARENT.—You told me I was suspended the day the letter was sent to Ottawa. Perhaps if you had received the letter you would not have suspended me.

By Mr. Archibald :

Q. You suspended Mr. Parent before getting that explanation?—A. Yes.

Q. Did you look into the accuracy of the statement made by Mr. Parent in that letter?—A. There is one thing in the letter in which I notice Mr. Parent is mistaken. I asked him to give me an estimate of the cost of deepening the Lachine canal to 22 feet. That had nothing whatever to do with this work at all. Mr. Dutton had a bill before Parliament, and I was requested to obtain from the engineers of all the canals an estimate of what it would cost to deepen them all 22 feet. That would apply to the whole right through to lake Erie.

Q. You asked them to report as to the cost?—A. Yes.

Mr. PARENT.—Of course, when you put that question to me, it struck me it was intended by the government to deepen the canal to 22 feet, and then I put the question whether it was at all the intention of the government to do that, as it was necessary for us to know it in order to make up our works in such a way as to meet that.—A. All the engineers were written to at that time.

Q. As a matter of fact, the works were constructed to provide for a depth of 22 feet?—A. They were.

Q. And that was not contemplated at the time the original estimate was prepared?—A. No, not at the time the \$175,000 estimate was prepared, no doubt about it. I think I was not there at the time.

Q. You said in your first examination that the original plans contemplated two abutments on the Wellington street bridge and two on the Grand Trunk, and a pivot pier on the Wellington bridge. Are you quite sure the original plans provided for these works and not merely the Wellington bridge alone?—A. Perhaps I am wrong. It was the only plan I ever saw. When I asked for the plans they were sent me.

Q. You are not prepared to say the original estimate only provided for the Wellington bridge alone and not for the Grand Trunk at all?—A. It certainly covered some part of the Grand Trunk.

Q. That was the superstructure. Are you prepared to say whether it applied to any part of the substructure or the abutments of the Grand Trunk?—A. I am not prepared to say. I do not question what Mr. Parent says with regard to the estimate as he is likely to know what it covered better than I.

Q. Do you know whether the original estimate provided for any of these false works at all?—A. I know nothing whatever beyond what you see on the face of the estimate itself.

Q. In making your estimate as to what you think would have been the price for these bridges—about \$250,000 I think you said?—A. I said that. I made these

figures up in Ottawa some time ago, and I am not sure, when I think about it, whether the \$250,000 did not cover the superstructure.

Q. You have not the figures before you from which you made that?—A. No.

Q. What information had you?—A. It must have been Mr. Papineau's figures.

Q. Look at exhibit C 34 and say if these are the figures?—A. It was Mr. Papineau's figures, I think. Whether these are the figures I am not prepared to say. I should have said 4,700 yards of masonry from my recollection.

Q. That is the quantity there?—A. Yes; those are the figures no doubt.

Q. You based your calculation of the probable cost of these works on Mr. Papineau's figures?—A. Yes.

Q. Look at exhibit C 34, page 3, and state if the summaries there contained represent the quantities correctly on which you based your calculations?—A. I think there is no doubt about it.

Q. Mr. Papineau stated in his examination that he did not include in these quantities anything of the false works or the temporary works?—A. I do not think they are included in that. He did not include there the temporary bridge at all.

Q. I do not see in these estimates of Mr. Papineau—we have not finished examining him yet, unfortunately—any allowance made by him for cribwork.—A. Oh, yes, I remember that perfectly. There is stone filling and timber which would make the cribwork.

Q. In making your estimates for this work, how much did you allow for timber?—A. I allowed for all the permanent work and a certain sum for other contingencies, such as the making of cofferdams, &c. I cannot tell the figures.

Q. You did not take into account the cost of the false work?—A. Yes; I took into account what they should cost for these preliminary works, but I did not take into account the actual measurement of what had been done.

By Mr. Douglas :

Q. Your prices were contractor's prices?—A. Yes.

By Mr. Atwater :

Q. Your prices were based on the prices a contractor would do this at?—A. Yes.

Q. When was this work commenced?—A. The actual work of construction would be commenced after the water was taken out. That was on the 8th of March.

Q. And these works had to be finished by the 1st May?—A. Yes, and they were practically finished that day.

Q. Are you aware it was of very great importance that the work should be done then so as not to interrupt traffic in the canal?—A. It was of paramount importance.

Q. What would be the consequence of the interruption of public traffic in the Lachine canal?—A. Most serious.

Q. Can you put it in figures?—A. No; I am not conversant sufficiently with the trade to do that.

Q. Could any contractor have been got after March to assume a contract like that, subject to a penalty for non-completion on time, which would be anything like adequate to the damage the country would suffer in the case of non-completion by the 1st of May?—A. Yes; you could have got contractors for the same money.

Q. They would have risked it?—A. Yes.

Q. What penalty would you have to put on?—A. I do not know; that is a matter of government policy.

Q. Have you any knowledge?—A. Not the slightest; I know the usual penalty is 5 per cent deposit as security.

Q. Five per cent on this work would not have compensated the country or the government for non-fulfilment on the part of the contractor?—A. I cannot tell what would compensate them. I tell you what is the usual practice.

Q. I am asking what amount of penalty it would have been necessary to place on a contractor to compensate the country or the government for the loss caused by non-completion of the contract in time?—A. I do not know, except that it is the regular practice to impose a penalty of 5 per cent.

Q. Then, in the usual practice, is the penalty against the contractor in the case of work not done on time is 5 per cent?—A. I presume so.

Q. Would that have equalled the possible loss through the contractor not having completed his work in time?—A. I do not think so.

Q. Is that 5 per cent per week, or what?—A. 5 per cent on the whole thing.

Q. If the contractor had not finished that work in time for the opening of navigation, the loss to the country would go on from day to day until it was completed?—A. If navigation had been interfered with, it would have been a very serious matter.

Q. Not only for Montreal but the country generally?—A. The country generally and Montreal especially.

Q. So that it was of the very utmost importance this work should be completed by the opening of navigation?—A. I think my letters all show that.

Q. You note what Mr. Parent says in his letter with regard to the time within which this work had to be completed, can you state as to the correctness of that?—A. No doubt the actual work of laying the masonry, digging the foundations, etc., could not be commenced until the water was let out of the canal and that was on the 8th of March.

Q. So that they had to actually finish the work between the 8th of March and the 1st of May?—A. The work was commenced before the 8th of March, but not the actual work of excavating the foundation or laying the stone. The delivery of the stone and the timber and the preparation of these things was commenced before the 8th of March.

Q. Suppose the original estimates had provided for only 1,600 cubic yards of stone, and there were 4,370, as a matter of fact used, would not the additional quantity of stone have had to be procured in that period also?—A. Undoubtedly.

Q. So that there may have been a good deal of hurry in obtaining the material for the bridges as well as in doing the work of excavation?—A. The stone was let by contracts for delivery.

Q. Who had the contracts?—A. Mr. Delormier and St. Louis.

Q. Who had the contract for the stone?—A. Mr. St. Louis and Mr. Delormier.

Q. Can you tell us how much each had a contract for?—A. The contracts are here.

Q. Can you tell us whether the tenders were made for the stone as contemplated by the original estimate or for the increased estimate?—A. I do not know what the quantities were.

Q. Look at exhibit C. 29, and say when these tenders were made and the quantities?—A. I could not say the quantities, but the estimates sent out to the contractors would give them.

Q. That is invitations to tender?—A. Yes.

Q. At that date, the 7th December, 1892, the original estimates had not been departed from, had they?—A. That tender, I think, was for the Wellington street bridge proper and the No. 1 lock.

Q. There was nothing about the Grand Trunk there?—A. No.

Q. On the 31st of January, I see a letter from you to Mr. Parent referring to the tenders for the abutments in the new Grand Trunk bridge at Wellington street, and the renewals of masonry in lock No. 1. (Letter filed as exhibit C 64.) This was when you had come to the conclusion to build the Grand Trunk bridge?—A. Evidently.

Q. Before that, apparently, there was no idea on the part of your department to build the Grand Trunk bridge?—A. Evidently no arrangement was made before.

Q. Look at the following telegram:

To C. SCHREIBER, Ottawa:—

MONTREAL, 16th January, 1892.

We prefer that you proceed with our canal bridge work. We will render all the assistance required and heartily co-operate in every way possible and at once.

L. J. SEARGEANT.

A. It must have been prior to the 16th of January that Mr. Parent and I visited Mr. Seargeant at his office, and this was his final decision.

Q. Up to this time, it had not been decided that the government were going to undertake the construction of the Grand Trunk bridge?—A. Apparently not.

Q. When did Mr. Douglas first come down here?—A. I should think about the 6th or 7th of April.

Q. How long were you here yourself when you came down the second time in April?—A. I was here not more than an hour.

Q. In making your calculations as to the probable cost or the contractor's cost of this work, did you take into account any necessary ice removal caused by flooding or anything of the sort?—A. I think the only work I took into consideration about the ice was the quantities given by Mr. Papineau.

Q. With regard to the number of masons employed to a derrick, you said 3?—A. Yes.

Q. Do you think that 3 assistants would be enough for the three?—A. I think so.

Q. Under this plan of contracting for labour, the responsibility of providing the labour is thrown on the contractor?—A. Undoubtedly; he would have to supply it upon requisition.

Q. So that the employment of the labour was altogether out of the hand of the government?—A. No; entirely in the hands of the government.

Q. I mean the employment of the particular men?—A. Certainly.

Q. With regard to the employing or not of any particular man, the government had nothing to do or any of the government employees?—A. No; except that the contractor had to provide suitable men for the work.

Q. How do you account, that being the case, for Mr. Parent's statement that political interference had anything to do with the construction of the work?—A. I do not account for that at all. That is a matter for Mr. Parent to explain.

Q. You could not see any way in which political interference had to do with the employment of the men?—A. No.

Q. Political influence could neither employ nor dismiss a man?—A. I do not know what he might have meant by that at all. He can explain it.

Q. The contract for labour having been given, that took the employment of any man entirely out of the hands of the officers of the department?—A. All that Mr. Kennedy or Mr. Parent would have to do would be to requisition the contractor, Mr. St. Louis, for the men they required, and it was the business of Mr. St. Louis to furnish those men as required. As to who these men were, that was immaterial so long as they were proper men for the work.

Q. Mr. Desbarats, I believe, was the engineer in charge before he left the employ of the government?—A. Yes; he was sent down for that purpose.

Q. Do you know whether it was he who made the original estimates?—A. I know nothing further than seeing the documents. I only know it because Mr. Trudeau reported it. No doubt if Mr. Desbarats says he made it, he did so.

Q. Was it within your knowledge that there was any friction between any officials of the department here and any other official with regard to this work?—A. As I mentioned yesterday, Mr. Parent complained to me about Mr. Kennedy having given orders that the time-keepers were not to show him their books. I was upon the works at the time and saw Mr. Kennedy and spoke to him about it, and Mr. Kennedy said he had given no such order. Then, I called upon Mr. Parent, and we were together, the three of us. I said to Mr. Parent, "Kennedy denies giving such orders;" and Mr. Parent said, "Oh it is all right, it is all right," that he was mistaken.

Q. When was that?—A. I should think either the 6th or 20th of April, could not tell which.

Mr. PARENT—Would you allow me to rectify that statement a little. It is not exactly what I said. I told you that Mr. Kennedy and I had since had a talk together, and he said his book-keeper must have been a fool if he thought I had nothing to do with the books. He said he told him to give information to nobody, but of course he should not have considered me as nobody.—A. Possibly that may

have been your language, but the inference was that he had given no orders as against your seeing the books.

Mr. KENNEDY.—One word of explanation from me will cover the whole thing. Owing to the accident on a derrick when two men were killed, the press reporters came to interview me, and I refused to give information pending the inquest. It appeared in one of the morning papers that Mr. Kennedy would not give any information, but that the time-keepers were more communicative. When I read that, I went to them and gave them strict instructions to give information to nobody about anything, but, as Mr. Parent says, I did not consider him nobody?—A. I know Mr. Parent was perfectly satisfied.

By Mr. Atwater :

Q. Do you know whether there was any friction between Mr. Desbarats and any of the officials?—A. I heard nothing about it. I saw a letter here to day and it looks as if there might be a little friction.

Q. Look at this letter addressed to Mr. Parent by Mr. Desbarats, dated 6th of February, 1893, and filed as exhibit C 65?—A. I never saw that before.

Q. Mr. Desbarats really is the man who knows most about the actual work going on at the time he was in charge?—A. He would know most about the plans, but I should think Mr. Kennedy would know most about the work.

Q. Mr. Desbarats would know a good deal about it?—A. He would know more about the plans judging by the letter.

By Mr. Vanier :

Q. He knew also about the changes made?—A. Yes, evidently.

By Mr. Atwater :

Q. I think you said in your examination, that your orders to Mr. Parent were that the work must be done as cheaply as possible, and must be done by the opening of navigation?—A. Yes.

Q. You regarded the fact that it must be done by the opening of navigation as of paramount importance?—A. Undoubtedly I stated so in my letter.

Q. Had Mr. St. Louis any connection with the work beyond being a tenderer?—A. Not that I know of. His only connection would be his contract for the stone and the labour. He was to supply the labour on requisition from the superintendent under the general direction of Mr. Parent.

Q. In making your calculation of the cost of the removal of the ice, did you calculate the cost as in an ordinary removal, say, from the bed of the river, or as being lifted up from platform to platform from the bed of the canal?—A. I did not take into consideration its being lifted from platform to platform.

Q. Would that increase the cost?—A. Yes.

Q. By the number of extra men who would have to be employed?—A. Yes.

Q. What was the cost of the superstructure of these two bridges?—A. In round numbers, \$61,000.

Q. Which would have to be added to the cost of the substructure?—A. Yes.

Q. I see by the letter of the 6th of March from Mr. Stephenson, superintendent of the Grand Trunk, addressed to Mr. Douglas, that he estimated the quantity of freight to be carted, from the 1st to the 15th of March inclusive, owing to the interruption of the Wellington street canal bridge, at 14,600 tons, which at 35 cents a ton would be \$5,110 or \$384 per day, and that therefore, the department would see the necessity for the construction of a temporary bridge at the earliest possible date. Did that letter come under your notice?—A. No, I was not aware of that letter, but I was aware that Mr. Stephenson had been in communication with some one. I

sent Mr. Douglas down in April, not in connection with the works, but in connection specially with that superstructure.

Q. At the time the Grand Trunk people were pressing you to put in a temporary bridge?—A. They were pressing very likely that we should not break connection with the city.

Q. Did you do that?—A. We merely shifted the old bridge over.

Q. And you gave the temporary bridge for ordinary travel?—A. No, the ordinary travel went over the old Wellington street bridge. The new bridge was not built on the site of the old one.

Q. The loss through stoppage of the traffic would have affected the Grand Trunk as well as the general public?—A. It would have been a disadvantage to the Grand Trunk and the public, no doubt.

Q. I understand that the department has not paid a number of these accounts for material and labour yet?—A. Yes.

Q. They are holding them back pending the result of the investigation?—A. They are.

Q. What particular accounts?—A. Accounts for material and labour both.

Q. I think you said you have known of instances where the masonry cost \$25 a cubic yard?—A. Yes.

Q. What would it cost the contractor—did he make money? What did he get for it?—A. Twelve dollars.

Q. And it cost him \$25?—A. Yes.

Q. He must have lost money?—A. No doubt.

Q. Have you seen the photographs produced here?—A. If these are the figures Mr. St. Louis sent me, I have seen them.

Q. Have you looked at them carefully?—A. No.

Q. Could you say whether any portion of the temporary works indicated on the photograph are necessary or not?—A. I could not tell you anything about those photographs. It depends on the mode of carrying on the work. Had I been down there, locally in charge, I would have carried them on more economically.

Q. The work you have stated as going on in the Sault Ste. Marie canal was done under very different circumstances, I think you said?—A. Yes.

Q. I suppose, as a matter of fact, this work was done in the worst season of the year?—A. No doubt.

Q. Can a man do as much work on this account in winter as in summer?—A. I do not think so.

Q. Necessarily there had to be a great deal of night work, overtime and Sunday work?—A. No doubt.

Q. In the employment of construction works, whether public or private, do you know whether the original estimates are not very often exceeded?—A. They are very often.

Q. Especially when changes are made in the original specification?—A. Yes.

Q. That is your letter of 18th January, addressed to Mr. Parent, filed as exhibit C 66?—A. Yes.

Q. You gave instructions that any work to be done in connection with the canal was to be tendered for?—A. Yes.

Q. Those were your instructions all through?—A. Yes.

Q. After competition?—A. Yes.

Q. And the general rule of the department is to accept the lowest tender?—A. Yes. There may be exceptions, but that is the general rule.

Q. Was there a single exception in the case of these bridges?—A. I do not think so.

Q. After exercising all the care possible as to the classes of tenders and the character of the persons tendering?—A. I may say this with regard to the stone that I think that Mr. Delorimier could supply it, but it was urged that his prices were so low he could not do so, but we thought otherwise and accepted it.

Q. The prices contracted for were not out of the way for the labour?—A. I knew nothing about the prices of labour in Montreal, as I have never had anything to

do with any work here. I do not know what rates were paid, but we accepted the lowest tender. Mr. Parent seemed to consider they were fair and just, and I did not know that they were out of the way.

Q. And the effect of letting the labour by contract was to relieve the government from the necessity of finding labourers whenever wanted?—A. Mr. Parent explained to me verbally and also by letter his reasons. He considered it would be an advantage in every way to the government. He thought it would be an economy, and I am not prepared to say he was not correct.

Q. Do you know, in your experience of employing labour, whether the government has, as a rule, to pay more than a contractor would for labour?—A. I do not know about that, but they get less work done.

Q. A contractor can get more work out of the men than the government?—A. I think so, as a rule.

Q. Who prepared the specifications for the timber?—A. They were prepared before I had anything to do with them.

Q. As far as you and the department were concerned, all you saw was the synopsis?—A. The abstract is all we saw. No, I cannot say that up to the time they were accepted that is all we saw. Mr. Connolly, of Ottawa, subsequently to that, brought in a form of tender which he complained about.

Q. State whether it was after the acceptance of the tender that your attention was drawn to the form?—A. Yes.

Q. So that you did not know how these specifications were sent out and how far they were deficient at the time you signed the abstract?—A. No.

By Mr. Archibald :

Q. When a tender of that kind, which does not mention each length but so many pieces from such a length to another, is made, would not the tenderer naturally go to the engineer's office to get the lengths?—A. Not necessarily. He might, and it would be a very proper thing to do if he wanted to tender, but the proper way to send out a tender is to give the lengths.

Q. If the man had a head on his shoulders he would go?—A. If I wanted to tender for anything of that kind, I would ask at the office.

Q. You have said that you consider a railway bridge across the canal to be a matter belonging to the ordinary administration of the canal; do you remember when the Canadian Pacific railway bridge was built across the canal a few years ago?—A. At Lachine?

Q. Yes.—A. I know it was built across there.

Q. Had the superintendent of the canal anything to do with that?—A. I think so. If it is a swing bridge he certainly has, because if that bridge is not opened he can order it to be opened.

Q. What he has charge of, is the navigation?—A. Undoubtedly.

Q. Would he have any charge over the construction of a bridge except to see that the navigation is not interfered with?—A. He would without doubt if it belonged to the government.

Q. What instructions did you give Mr. Douglas when you sent him down?—A. I do not exactly remember.

Q. Did you give him any written instructions?—A. I do not see them.

Q. What did you tell him to do?—A. He was to come down here.

Q. Did you send anybody else down with him?—A. I do not think so.

Q. Did you see a man around here belonging to your department at Ottawa?—A. I saw a man here to-day. He was not sent down at the time Mr. Douglas was sent down.

Q. He was sent down afterwards?—A. Yes; he is our police inspector on the Intercolonial.

Q. Did you give him any instruction?—A. Verbally.

Q. In writing?—A. I do not think so.

Q. Are you sure about that?—A. No, I am not.

Q. By the way, have you any reason to think that that gentleman is not quite as reliable as he might be supposed to be?—A. No; as police inspector on the Inter-colonial I have always found him very reliable.

Q. Have you ever received complaints against him?—A. A man in that position has many complaints against him.

Q. Did you ever receive any from officers of your own road against him?—A. From one, yes, but that does not prove anything.

Q. I see that Mr. Douglas was here in the month of March?—A. Yes.

Q. Did he report how the work was going on at the time?—A. I think all the correspondence is here. His special duty then was in connection with the Grand Trunk bridge which had been removed contrary to my orders.

Q. Did he make you any report?—A. I do not think he did on that occasion.

Q. When you wrote your official letter, first to the minister, was that the first time your attention had been called to the fact of these bridges costing more than the original estimate?—A. It is the first intimation I had of their costing anything like what they did, although in the early part of March, as I told you yesterday, an article appeared in the *Montreal Gazette* stating that there were 1,300 odd men upon the work. That same day that I saw the paper, a person came to me and stated things were being done there extravagantly. I then wrote on the tenth of March to Mr. Parent drawing his attention to what had appeared in this paper, stating that it was reported there was great extravagance and a great many more men employed than could be profitably worked. That these men must be in one another's way retarding work.

By Mr. Atwater :

Q. Who made that statement?—A. I cannot say that.

By Mr. Archibald :

Q. Did you say anything about the wood of the old cribwork?—A. Yes.

Q. What did you say?—A. I said, and I repeat now, that although what had been taken out of the crib were valueless and only fit to be destroyed, we could give no property away even if it were of no value but it had to be sold by auction.

Q. That was an indication that any one might take French leave and carry it off.—A. I certainly did not intend it in that way. But it certainly was of no further service.

Q. Did Mr. Parent ask for authority to sell that stuff by auction?—A. I know that the selling of it was spoken of. Possibly he might have done so. Very likely he did. It was spoken of certainly.

Q. What did you say when he asked for that authority, if he did ask for it?—Do you remember giving him authority?—A. I do not remember giving him authority, although I think it would have been a very good thing to sell it by auction, because it was only encumbering the ground.

Q. Was it not necessary to have it removed?—A. Some of it.

Q. Do you think it could have brought enough to cover the expenses of the auction?—A. Only a small amount, but the theory is that we are not allowed to dispose of public property, even if it has no value. It would have brought probably more than enough to cover expenses.

Q. Is that the theory, even if it should cost something to get rid of it?—A. Yes.

Q. Do you find in your experience of public works, especially in a crowded neighbourhood, that it is the theory which prevails among the neighbours?—(No answer).

By Mr. Atwater :

Q. In your letter of the 21st of April, addressed to the minister, in which you first expressed to him that you were astonished at the size of these pay rolls and the cost, you questioned the estimate made by Mr. Trudeau, chief engineer, and by Mr.

Parent, superintending engineer, early in 1892. Then you go on to state what Mr. Parent's explanation of this excess over the first estimate was. You did not make any statement as to whether that estimate provided for both bridges or only one?—A. I understood at the time it covered both. I knew nothing personally about the estimate, because it was made before I had any connection with the canal.

Q. Of course that letter might have been varied according as you found the original estimate provided for more or less than you thought at the time?—A. I might have modified it so far as the value of the work was concerned, as I think that was too low an estimate altogether. It was not sufficient to cover the work done, no doubt.

(Exhibit C 67 filed, being copy of a report by Mr. Trudeau to the Minister of Railways and Canals, dated 19th of October, 1892, and the estimate for Wellington street bridge, dated 18th of October, 1892, and signed by Mr. Parent, [being the original estimate for the Wellington street bridge.]

By Mr. Emard :

Q. If I understood well, you do not expect a man to work at night as well as in days?—A. In some cases we pay more at night than during the day.

Q. What percentage?—A. I should think from 33 to 50.

Q. Would the pay be more per hour from seven to twelve at night than from seven at night to six in the morning?—A. It would be about the same per hour.

Q. Would you expect men in such weather and temperature as we had last winter, to be able to work all day long in the water without having to come in and warm themselves at times?—A. The men wear waterproof boots, but it is quite possible they would have to come in and out to get warmed up occasionally.

Q. Could they work five hours at a stretch?—A. Quite likely they would have to come in and get warm.

Q. Can the men be watched at night as well as in day time?—A. Scattered men could not be looked after as well.

Q. In cutting the stone of the Grand Trunk abutments, are you aware that the stones of the old wall were cut on each side after the building?—A. You mean that the backing was cut in the same way as the face stone. It was not, and it was very improper if it was.

Q. It was done for the railway bridge, but not for the Curran bridge?—A. Not for any of the bridges.

Q. Was it not supposed to be more required for the railway bridge?—A. No, they were both good strong masonry.

Q. You are not aware that orders were given to do it by the engineer?—A. I know nothing about it. Mr. Parent or Mr. Kennedy would give the order. I never heard of backing being cut the same as they cut stone.

Q. You do not believe that the back range of stone should be just as strong as the first row. A. Just as strong, but not cut the same as the front stone.

Q. You think it is not necessary at all to work the stone of the backing?—A. No, there is no occasion to cut that, but simply to knock it in shape with a hammer.

Q. Not to pick it in any way?—A. You must have the stone in good shape.

Q. You do not think it was required for the railway bridge to make the abutments stronger?—A. No.

By Mr. St. Louis :

Q. Is it not a fact that if you have got a course of two feet in front for regular courses, and if you have got backing of about 8, 9, or 10 inches in regular courses, you have to pick those so as to give the same strength in the back of the abutment as in the front?—A. You may build up the back courses in two.

Q. Certainly, but the beds have to be put so as to bring as close the stone in the back as in the front?—A. Yes, you have to pick the stone, but that is not cutting.

Q. I do not say cut the stone as in front, but to make a good abutment, the bed at the backing has to be picked close because there is some times two joins to meet one in front?—A. That is right.

By the Chairman :

Q. Is it the case that all the specifications require an inch joint in the back?—

A. In most cases they require that, but I never saw it carried out.

By Mr. Eward :

Q. Are you aware that this stone was picked afterwards?—A. I am not aware at all what was done with it. I do not know why it should be different from the other masonry. No one can complain of any of it, because it is all excellent work.

By Mr. St. Louis :

Q. In quick work like that, is it not necessary to have a certain number of men to prepare the stone so as not to keep back the derrick, but have the stone ready in time?—A. Undoubtedly.

Q. To have the backing ready to meet the requirements of the front of the piers, is it not necessary to prepare the backing at the same time?—A. The backing should be ready to go in.

Q. Perhaps you are not aware that Mr. Papineau gave orders to pick the face of the old walls of the canal right along on each side of the new abutments of the Grand Trunk bridge?—A. I am not aware what instructions Mr. Papineau gave.

Mr. PARENT—I take the responsibility of that. It was all rough and lumpy and had to be picked.

By Mr. Eward :

Q. Is it not the case that for a railway bridge for heavy traffic, you have to be more particular in building the masonry than ordinary traffic business?—A. Yes, than ordinary country and highway bridges.

By the Chairman :

Q. Is Mr. Skeffington still an officer of the government?—A. Yes, he is inspector of police on the Intercolonial.

Q. How long have you known him?—A. I think since 1876.

Q. What is your opinion of his character?—A. I have always found him a most efficient and dutiful officer.

Q. You have a very high opinion of him personally?—A. I have.

By Mr. Douglas :

Q. With regard to Skeffington, any work he did here was done as a public officer paid by the public and in the public interest?—A. Yes.

By the Chairman :

Q. In your statement of the masonry, you included the estimate for false work, cofferdam, and anything else required?—A. No, I had an item in for all that, an amount in addition to these prices.

By Mr. Atwater :

Q. What amount?—A. I do not remember.

Q. Looking at those figures, would you say that your estimate for false work was based on anything like these?—A. No.

Q. If the false works done there were necessary, your estimates would be increased very much?—A. Yes.

Q. Those false works cost a lot of money?—A. No doubt.

Q. A great deal of labour went into those and material?—A. All the material used in them should be on the ground.

Q. Apart from its having disappeared through its being plundered, a large amount of material must have gone in?—A. According to those figures, yes.

By the Chairman:

Q. Was there any record kept of the state of weather during the construction?—A. I do not know. I know it was very cold weather.

Q. Would you consider it extravagant to lift that ice with derricks out of the water and put it in carts and cart it away?—A. I think if you lifted it in blocks with the derricks and took it away, it would have been cheaper than cutting it up and shovelling it up. I do not know what was done, but I should think carting it out on the ice out of the way would be a very good plan.

And further deponent saith not.

E. J. DUGGAN, *Stenographer.*

The commission adjourned at 5 p.m.

Mr. E. H. PARENT, C.E., was then called and sworn:—

By Mr. Douglas:

Q. Do you know anything about the bill of timber on which lumbermen were invited to tender?—A. Yes.

Q. Did you furnish the bill of timber to Mr. Kennedy?—A. No.

Q. You did not furnish it to Mr. Kennedy?—A. There was one furnished by my assistant and the timber was purchased by Mr. Kennedy on that list—at least a portion of it.

Q. Mr. Kennedy was given a list of the timber by your assistant, Mr. Desbarats?—A. Yes.

Q. Did Mr. Desbarats forward that list to your office?—A. I saw it at his office.

Q. Then Mr. Kennedy sent the letters to the different lumber merchants?—A. Yes.

Q. Did you give instructions to Mr. Kennedy to send out the tenders?—A. No; he did it himself. The fact of sending a list almost meant instructions.

Q. Did Mr. Kennedy forward you a copy of that letter which he sent to the various lumbermen?—A. Yes; we received a copy.

Mr. LESAGE then returned and was re-examined.

Q. Did you get instructions from Ottawa to ask for tenders?—A. Yes.

Q. Did Parent instruct Mr. Kennedy to ask for tenders?—Q. Yes, in his letter of the 28th November. (Witness read letter.)

Q. Produce your authority from Ottawa for writing that letter?—A. Mr. Parent could give you some information.

Q. Produce the document.—A. This letter was based on a conversation.

Q. Is it customary to allow Mr. Kennedy to invite tenders for large amounts of material irrespective of this office, make up tenders in his own office, and send the extended tenders up here. Is that the customary way of doing business?—A. No, sir.

Q. You do not know anything about asking for these tenders other than saying that he was authorized to call for tenders?—A. Mr. Parent will be able to tell you more about it.

Q. Had you authority from Ottawa for that letter?

Mr. PARENT.—There is authority from Mr. Trudeau given to Mr. Desbarats. That is the only one, the rest was a verbal arrangement in Ottawa.

Q. Where was this verbal arrangement made?—A. In Mr. Trudeau's office, at Ottawa, in the presence of Messrs. J. J. Curran and Ogilvie.

Q. Are you in the habit of going to Ottawa on these matters?—A. I went every month, and I happened to be in the office when Mr. Curran came in with Mr. Ogilvie.

Q. What took place?—A. After conversing on different things in connection with the bridge, they asked that Mr. Kennedy be appointed overseer of the works. They insisted upon that point. I replied, that in his quality of superintendent he was naturally the overseer of the works, that there need be no special application for that purpose. That is how it came about. Mr. Trudeau said to me, "let Kennedy know that he is appointed overseer." Then, Mr. Desbarats got a letter from Mr. Trudeau which he gave to me, appointing him acting engineer of the works to be there permanently.

Q. You received no written instructions at all?

And further deponent saith not.

E. J. DUGGAN, *Stenographer*.

E. H. PARENT, civil engineer, on being duly sworn, deposed as follows:—

By Mr. Atwater:

Q. With reference to this pay-list that we were asking Mr. Lesage about, when did it reach you first?—A. It was about the end of May or the commencement of June.

Q. It was not delayed in your hands?—A. No. The moment it came to our office it was given to Mr. Lesage to get it properly checked. I signed them up to the 13th May, and the balance of the time they were signed by Mr. Marceau, who is acting superintending engineer just now. I believe it was not in our hands more than a couple of days at the outside.

By Mr. Archibald:

Q. But not signed by Mr. Kennedy?—A. Yes, Mr. Kennedy had signed it when I signed it, to the best of my recollection. I never signed it before Mr. Kennedy, I always signed after him.

By Mr. Atwater:

Q. You do not know when it went to Mr. Kennedy?—A. I cannot tell. I want to rectify what I have just said. I said I signed up to the 13th. I made a mistake. In the month of April it was entirely under my control, and so I signed for the whole month of April. I was first thinking of the month of May.

S. A. ABBOTT, *Stenographer*.

By Mr. Douglas:

Q. Are you acquainted with Mr. Douglas, engineer of the Department of Railways and Canals?—A. Yes.

Q. Had you any official instructions from the Department of Railways and Canals, or from Mr. Schreiber, that Mr. Douglas had any official connection with the works on the bridges?—A. With the iron structure of the bridges.

Q. What connection had Mr. Douglas with the bridges from the start to the finish? What was his position?—A. As assistant to Mr. Schreiber; of course, we had considerable intercourse together.

Q. When Mr. Douglas arrived here in the end of April to remain—previously to that he had been here several times—for what purpose did he come?—A. For the iron structure.

Q. Where did he go?—A. To Lachine to inspect the iron work.

Q. Did he go on the works with you?—A. Yes.

Q. Was it at your invitation?—A. No.

Q. Had he any official capacity?—A. No.

Q. None whatever?—A. Not at that time.

Q. Had he ever any official capacity to your knowledge?—A. No, because I was not notified.

Q. Your position as chief engineer of canals was never over-ridden. You were never told that you were to take orders from me or Mr. Kennedy or any of your subordinates?—A. No.

Q. You never had any instructions of that kind?—A. There is only one thing in the letter of Mr. Schreiber to me of the 10th of March. He merely says, naturally you being his assistant and he perhaps not being able to come and make an inspection of the works, he says to me in his letter that he waits your report, that is all.

Q. Then you consider Mr. Douglas's position, when he came, was as inspecting engineer to inspect and report, without any responsibility with regard to the work?—A. With no responsibility at all as regards the work.

Q. Are you aware that on the 25th of April, Mr. Schreiber wrote to Mr. Haggart:—"As I mentioned to you I was not a little startled upon receiving from Mr. Parent the pay-rolls. The amount for the month of March in connection with the Wellington street bridges summed to an enormous figure. I at once despatched R. C. Douglas off to Montreal to look into the the matter and ferret out all the information he could and report to me the position of matters." Are you aware that Mr. Schreiber wrote to Mr. Haggart on the 25th of April that letter?—A. No.

Q. You have no official knowledge of that?—A. No.

Q. Have you any official knowledge that on the 25th of April, Mr. Douglas wrote to Mr. Schreiber:—"The whole system of carting on the work has been such that one would have to constitute himself into a walking boss of a dozen gangs to obtain anywhere near the amount of work that the contractor showed." Are you aware that Mr. Douglas wrote that on the 25th of April?—A. I am aware of the fact, but not officially.

Q. Are you aware that Mr. Douglas also wrote in that letter to Mr. Schreiber:—"As to macadam, Mr. Parent or Mr. ———— know nothing about it. You heard Mr. Kennedy's answer. I may be able later to discover the true inwardness. St. Louis informs me that he paid on Saturday last \$19,800, and to-day will pay \$14,943, on his pay-lists already in the department, down to Friday last when you inspected the works." You never heard anything of these letters?—A. No.

Q. You had never any notification that Mr. Douglas had any connection with the Wellington street or Grand Trunk bridges from the start to the finish?—A. No; not for the under structures.

Q. He had nothing to do with it?—A. No; except to inspect and report.

By Mr. Emard:

Q. Have you that letter?—A. The letter said that Mr. Douglas had been in Montreal to inspect and in the meantime am waiting anxiously for Mr. Douglas's report.

Q. Have you a copy of that letter?—A. Yes.

Q. Please produce it. You say you were never informed that Mr. Douglas was authorized to go and occupy himself with the work of the under structure of the bridge?—A. I am not.

Q. Is it not to your knowledge that Mr. Douglas went to the works and occupied himself with the matter?—A. To my personal knowledge he never gave orders. When we met, he cast reflections sometimes and I gave orders in consequence.

Q. Were you on the place continually?—A. No.

Q. Since the 20th April?—A. I was often with Mr. Douglas, but I did not remain there all day.

Q. Very often Mr. Douglas must have been away from you. Mr. Douglas was on the works continually from the 19th or 20th April?—A. Yes.

Q. And he might have given orders without your knowledge?—A. It is possible. It was in the order of things. He could speak in my name.

Q. In the letter of the 10th March, Mr. Schreiber says: "In the meantime I anxiously await the report of Mr. Douglas who has been down to Montreal to visit the works." So that this does not refer to the superstructure of the bridge but to the under structure of the bridge?—A. Yes, as far as I know Mr. Douglas had no official authority to come here.

Q. I do not ask whether he had official authority or not, but whether he acted officially and gave any orders and instructions?—A. Not in my presence.

Q. But he may have?—A. He may.

Q. Were you not told of some instructions given by him to some foreman?—A. I think I heard about that, but could not say to whom.

Q. By saying that you never heard of Mr. Douglas having any official authority, nevertheless has he not, either to your knowledge or from hearsay, acted as being authorized, and has he not given instructions or orders to some of the foremen?—A. I heard that from people who were not authorized to speak on the subject and knew nothing about it.

Q. Did any foreman tell you?—A. I cannot tell you who it was. It was several people.

Q. Did you hear Mr. Trudel's evidence?—A. Yes.

Q. Did you hear him say he got orders from Mr. Douglas?—A. I did.

Q. You are not prepared to say he did not tell the truth?—A. No. Even if Mr. Douglas gave orders, he being assistant chief engineer, makes it all right. I would have done the same thing if I had been there.

By Mr. Atwater:

Q. Who told you about Mr. Douglas having given orders?—A. I cannot tell you.

Q. Was it people outside?—A. No, it was people connected with the work. Perhaps it was Villeneuve.

Q. You did not hear of his having given orders prior to the 19th or 20th April?—A. No, He may have spoken and perhaps grumbled a little about things, but did not interfere otherwise than conversationally.

And further deponent saith not.

E. J. DUGGAN, *Stenographer.*

MONTREAL, July 22nd, 1893.

The commission met at 10 a.m.

Present: Messrs. McLEOD and DOUGLAS.

Mr. PARENT.—I wish to make a statement.

Mr. DOUGLAS.—You are making this under oath, are you?

Mr. PARENT.—Yes. I make the statement on account of some articles that appeared in all the papers reporting what Mr. Schreiber said on one occasion. The *Minerve* especially has a very bad report. It refers to the refusal of the time-keeper, Mr. Coughlin, to give me some information with regard to the work and the number of men that were working. My statement is this: I met Mr. Schreiber on the works, and he asked me why I did not, according to his orders, send him more frequently reports of the force employed about the bridges. I replied that I could not obtain the information, that the time-keeper Mr. Coughlin, had often refused me the information he could give me, stating that he had strict orders from Mr. Kennedy to give no such information to anybody. I insisted, but it was no use. When I met Mr. Kennedy I asked him for an explanation. He said that Coughlin should have had enough sense to understand that such orders should not apply to me. Mr. Schreiber and I then met Mr. Kennedy, who repeated the same explanation to him, and Mr. Kennedy and I agreed to consider the whole thing as a mistake.

Mr. KENNEDY.—That is what Mr. Schreiber said yesterday.

Mr. PARENT.—Three newspapers gave quite a different report.

Mr. ARCHIBALD.—That is very much the same as Mr. Schreiber said.

Mr. PARENT.—The only thing is that Mr. Schreiber said the whole thing was a mistake.

Mr. KENNEDY.—I may state that when the press reporters came to see me and asked for information with reference to this point, I refused to give it, and it was stated in one of the papers the next morning that one of the timekeepers had refused. Then I gave instructions to the timekeepers to mind their own business, and to give information to no one, but that did not mean Mr. Parent, as I explained to him afterwards. The next day I censured the chief timekeeper for so doing.

Mr. PARENT.—Mr. Schreiber's evidence, as reported in the papers, does not mean that at all.

Mr. McLEOD.—It is all right; we understand all about it now.

Mr. ARCHIBALD.—That misunderstanding between you and Mr. Coughlin did not last any considerable time?

Mr. PARENT.—Oh, no; the moment he refused me, I walked out. I met Mr. Kennedy shortly afterwards, and he explained the whole thing.

A copy of the pay-list of the time worked when the dredge was working at the Wellington bridge last fall in November, is filed as supplementary to exhibit C 31.

E. H. PARENT, previously sworn, recalled.

I have prepared a statement which I would like to make before the commission. When these works were first proposed, there was also a plan for a tunnel under the canal. That was the first start. Discussion began early in 1892, but afterwards it was decided that there should be a bridge, and then they commenced to discuss the question of what sort of a bridge it should be, whether it should be a large bridge or one similar to the one there now. Finally, they decided it should be a bridge forty-eight feet wide, and that one portion should be done by days' work, and another by

contract. When a decision was come to, then they went to work to study a plan. It was to be an iron bridge, and the Grand Trunk bridge also. By "they" I mean Mr. Trudeau and Mr. Desbarats—I could not tell exactly who it was in Ottawa. The plans were commenced for the masonry, but there was not a great deal of planing about the masonry. There was not a great quantity of stone; there was no calculation at all—very small plan. When the question of abutments came up, the plans were made in the office at Montreal. The plans for the abutments, and also for the centre pier, were prepared by Mr. Desbarats in the office here.

By Mr. McLeod :

Q. The first plans?—A. The first plans for the abutments. The first plans for the pier were commenced in Ottawa, and sent down here, that is, when they intended to have only one pier and no abutments. Then the plans for the abutments were made here.

Q. When was that first plan of one pier made?—A. It was made some time before October, 1892. That is about the time they commenced working. Then they changed everything.

By Mr. Douglas :

Q. That was in Ottawa?—A. Yes. The very day I went to Ottawa I had an interview with Mr. Desbarats, and talked the matter over to see what progress he had made in the plans.

By Mr. McLeod :

Q. The first plan of the pier was made by Mr. Desbarats?—A. Yes, under the supervision of Mr. Trudeau. As regards the superstructure, there was so little substituted, that it was not much worth while.

By Mr. Vanier :

Q. The superstructure or the stone structure?—A. Under the structure was only one pier, and the removing of the cribwork. All the plans were sent to me from Ottawa, with an estimate of the cost of the work, on the 29th October, 1892. I found nothing to change in the plans, but I found that the estimates were too small, \$170,000, and I was calculating for an increased estimate when circumstances completely altered the first plans. These preliminary plans projected; 1st. The construction of a centre pier 50 feet square in solid masonry, for the new Wellington bridge. 2nd. The removal of the two long piers which formed the abutments of the Wellington and Grand Trunk bridges, including the two masonry abutment piers. 3rd. The removal of the old Wellington street bridge. 4th. The removal of the two stationary bridges at the ends of the said bridge. These are little short bridges that are the extension from the rest pier to the land. There was also the building of two extension cribwork piers for the two new bridges. That is the work that had to be done for \$170,000. It was my opinion that the works should be commenced on the 15th December, 1892, and the water drawn out of the canal until February, or as long as required to secure the completion of the works for the first of May. Now, comes the second stage. On the 19th November, 1892, I was verbally notified by the chief engineer to alter my calculations in view of a channel 18 feet deep instead of 15. This brought on a very considerable increase of expenditure, since the landing abutments of both the new Wellington and Grand Trunk bridges, would be undermined and have to be rebuilt. That was decidedly contrary to my economical provisions and wiser estimates, assuming that the landing abutments would be the substantial and solid masonry piers actually built. I estimate that those four landing piers nearly trebled the original expense on masonry—perhaps not quite trebled. When the mill owners, using water power from the canal, and who had important orders to fill, heard that the water was to be taken out of the canal on the 15th December, there was an immense outcry. Public meetings, petitions and deputations

assailed the government, who finally conceded that the water would be taken out of the canal only on the first day of March. From an economical point of view this decision was of great importance. All the previous plans and estimates were upset. We had now to take into account questions of frost in the ground, and the cribwork and masonry piers to be removed, as well as the ice in the canal. Those works, added to the severity of last winter, became most expensive items, and it became evident that we should need to have recourse to night and Sunday labour in order to fulfil the absolute condition, which was the opening of the canal for navigation on the first of May. Fourth stage. The Grand Trunk Railway Company who had at first, rather more than willingly, agreed to take charge of all the works for constructing their bridge, declined at the last moment to undertake the task, on the ground that they, although such a powerful company, could not bind themselves to complete their portion of the work for the first of May. Thus was an additional responsibility thrown on our shoulders, with peremptory orders to complete the whole work for the first of May. The superintendent, officially appointed overseer of the work, declined to take charge of the Grand Trunk bridge, stating that he had his hands full with the Wellington bridge. Mr. St. Louis, contractor for the supply of labour, offered to take charge of the Grand Trunk bridge works gratuitously, under the control of Mr. Papineau, my assistant. Mr. Papineau took the place of Mr. Desbarats on the first March, 1893. Now comes a point that is very important. The replacing of Mr. Desbarats by Mr. Papineau had serious consequences. Mr. Desbarats was perfectly posted on all the details of the plans which he had prepared himself. He was ready to begin the works, he had made all his calculations and plans, and had everything prepared to commence operation. He was removed on the first March, which is just about the time the works commenced. Mr. Papineau was an entirely new hand, and it took him some time to prepare, and it was a good long while before he could be very useful on the canal; so that the removal of Mr. Desbarats, I consider, was another cause of delay, trouble and annoyance. Fifth stage. On the 18th January, 1893, I received a letter from the chief engineer to the effect that all the works of the government to be erected at the Wellington bridges were to be built so as to provide for the future deepening of the canal to a navigable depth of 22 feet draught. Such a draught would require the canal bottom to be excavated to about 23½ feet at least, and the masonry foundations had to be at least 24 feet below the water level. There is something above that still, it might go to 26 feet. We started with 15 and there we have 24 feet.

By Mr. Douglas:

Q. Do not speak on the navigation scale, but on the foundation scale?—A. The foundation depth was increased from 15 to 22, that is 7 feet more than the original intention.

Q. But you now provide for 22 feet; keep it on that basis?—A. First 15, then 18, then 22. It follows, also, that all the piers that were made all followed the same depth. It was an immense increase in the original cost which was estimated at \$170,000. I just managed to make it about \$203,000 when these changes took place. I found it was too small.

Q. \$200,000 for an 18-foot navigation?—No, that was the first one, the 18 feet came afterwards, because it was not surprising at all that 18 feet would cost more, the four abutments alone would nearly double the pier. The original estimate was trebled, and at present the cost is not out of proportion with the increased work.

By Mr. Vanier:

Q. You stated that the original plan was prepared in Ottawa?—A. Well, the original plans for the superstructure were made in Ottawa.

Q. For the substructure?—A. The first plans were made in Ottawa also.

Q. Made by Mr. Desbarats, an employee of the Department of Railways and Canals, residing at Ottawa.

Q. He was not an officer of the Montreal office?—A. No, he came here only in the month of February.

Q. Then the changes later on were made by Mr. Desbarats?—A. Well, they were made to suit the circumstances, they were made for 18 feet.

Q. When he was sent to Montreal by the department?—A. Yes, with a letter of instructions from Mr. Trudeau, telling me he was to be in charge of the works.

Q. Did you see the first plans made in Ottawa when you went there?—A. Yes, I saw them the very day I went there, several times.

Q. Did you see them in Mr. Desbarats's room?—A. Yes, every time I went to Ottawa, about once a month, I would have an interview with Mr. Desbarats.

Q. Who prepared the plans for the superstructure of the two bridges?—A. The discussion about that took place between Mr. Trudeau and Mr. Desbarats. Mr. Desbarats was to make some drawing for Mr. Marcus Smith.

By Mr. Douglas :

Q. The Dominion Bridge Company?—A. The superstructure was made by Marcus Smith.

By Mr. Vanier :

Q. There was a specification of the superstructure?—A. Yes.

Q. Who prepared it?—I understand it was Mr. Marcus Smith.

Q. Was he an employee of the government?—A. Yes, he was at the time.

Q. Were there any specifications for the substructure?—A. No, it was not worth while, it was only a pier, it was to be done by days' work. There was no need of any specification.

Q. When the changes were made?—A. It was days' work again. It was only an increase in the quantities of the masonry, and there was no need for specifications for that. It was like making specifications for yourself—no necessity for it.

Q. You said that the walls, when the change of depth was decided on, were augmented in height by seven feet?—A. Yes, from the original height.

Q. The thickness, of course, would follow the same proportion?—A. The base is widened in proportion, the excavation also. It was a very expensive excavation.

Q. And foundation of concrete?—A. Originally it was contemplated to put two feet thick of concrete under the foundation of the centre pier, and that is why so large a quantity of cement is estimated for; but ultimately there was much less than that put in.

Q. Was the mode followed that which you recommended?—A. For the first start it was not that at all. My plan at first was for 15 feet and we were not to go down below the bottom; so that we would never have had to touch the abutments in any way. We were to take the water out from the 15th December and make a good substantial cofferdam around the piers, then take away the cribwork that had to be removed, and then put the water back into the canal. A month would have been sufficient for all that, and even less. Under those conditions we could let the water in and build the piers.

Q. The factories would not have been stopped more than a month?—A. Under my plan they would not have been stopped more than a month. But it was at a time when they could not stand it, they said they would have to have water to enable them to fill their orders that they had to meet.

Q. Was not the piling around the cribwork in the centre of the pier done against your recommendation?—A. Yes. It was my opinion that a good strong boom would be preferable to that piling, because the bottom was too hard to put in piling. Anyhow, a good boom would have been a cheaper arrangement by a long ways, and a better job at the end. I think a boom was the best thing. We had booms for four or five years previous at the same place on that same Wellington bridge, and they always answered the purpose very well.

By Mr. McLeod :

Q. There would not have been a large quantity of piling put in?—A. Yes, a large quantity.

By Mr. Vanier :

Q. Do you remember that telegram you sent to Mr. Schreiber about skilled labour? Would you read that telegram?—A.

"To COLLINGWOOD SCHREIBER,

"Deputy Minister, and Chief Engineer of Railways and Canals,
"Ottawa.

"MONTREAL, 18th March, 1893.

"Considering the risks for contractor for strikes, and the average of wages all through, I would not consider \$1.50 too high for choice men, such as he supplies are supposed to be."

Q. In answer to your telegram was not this telegram addressed to you?

"To E. H. PARENT,

"Montreal.

"Is \$1.50 a fair rate for common labourers in Montreal, such as shovellers and pickers? If not, how much less? Please reply to-night.

"C. SCHREIBER."

Q. Would you explain what you mean by that answer?—A. I meant by that answer that Mr. St. Louis running the risk, \$1.50 was not a high rate for labour here in Montreal, considering the risk. A telegram is always short, and you must read between the lines.

Q. What did you mean by "choice men"?—A. Choice men must be picked men, not the first man that offers himself. He must be known to the contractor as a first-class labourer, as these were supposed to be.

Q. As a matter of fact did you have choice men on the works?—A. I would not go so far as to say that. I think some slipped in who were not first-class.

Q. What proportion?—A. I do not like to say so close as that. But you see very well that all the men were not first-class.

Q. Was one-half good men?—A. Oh, yes, more than that.

Q. Three-fourths?—A. I would say more than that. I would say that about 5 per cent or 6 per cent were not good men. Some were discharged on account of their not being good men.

Q. Was the picking of the revetment wall between the two bridges taken into account in the estimates?—A. No, that was not contemplated, because it was only found out afterwards that there were projections in the wall, and it could not be allowed to stand.

Q. Was the cost of getting out contractors' plant, such as derrick, included in the original estimate?—A. No, there was no plant except for the Wellington bridge. There was nothing of the sort for the Grand Trunk bridge. Then it turned out that there was nearly as much to do as on the other except in the amount of masonry, which was less.

Q. But the superstructure of the Grand Trunk bridge was included in the first estimate?—A. Yes, all the iron work, of course, but not what has been done to the masonry. Two courses have been taken off, and those two courses necessitated a considerable amount of what you might call false works, as much as for ten courses.

Q. Putting up the derricks?—A. Putting up the derricks, and access to them, and the platform and everything—the false work is the same for ten courses as for two, it does not make much difference. I consider it was the same thing for two courses as for ten, but of course the masonry is not the same.

Q. Mr. Kennedy was the overseer of the Wellington bridge?—A. Yes. It was the intention that, as superintendent of the canal, he should be overseer of the whole thing.

Q. Mr. Kennedy was specially appointed to that effect by the department in Ottawa?—A. By the department.

Mr. ARCHIBALD.—What do you mean to that effect? Do you mean that as superintendent of the work or superintendent of the Wellington bridge? I want to know what the answer means.

Mr. VANIER.—I mean specially appointed as overseer of the Wellington bridge.

Mr. ARCHIBALD.—The special appointment refers to the Wellington bridge only.

Mr. PARENT.—I mean to say that there was no provision at the time for the works on the Grand Trunk bridge, but if there had been I am sure Mr. Kennedy would have been told "You will have charge of the whole thing."

By Mr. Archibald:

Q. As a matter of fact the Wellington bridge was specially mentioned?—A. It was the only one mentioned. The superstructure was put in by the Dominion Bridge Company at their own expense. The abutments were not frozen at first. There would have been some little things to do, but nothing compared to what has been done.

By Mr. Vanier:

Q. How would you explain that Mr. Kennedy had a special appointment?—A. I could not understand why they did make a special appointment. I said so at the time. I did not see any necessity for making a special appointment. The superintendent of the canal everywhere else is always overseer of the works to be executed.

Q. Did anybody request that to your personal knowledge?—A. Yes.

Q. Who was it?—A. There was a deputation went to Ottawa, and amongst others in that deputation, in my presence, were Mr. William Ogilvie and the Hon. Mr. Curran. They asked specially that Mr. Kennedy be appointed as overseer of those works and the government acceded to it.

Q. Did the government consult you about it?—A. Oh, no.

Q. Don't you consider that Mr. Kennedy, as superintendent of the canal, is directly under your orders from one end of the earth to the other?—A. Yes, supposed to be so, unless in a case like this. It depends upon the interpretation. He being specially appointed as overseer, I might consider in that case it looks as if they did not want me to take the responsibility.

Q. Did you not understand it that way?—A. I did to some extent. I considered that he had charge of getting up everything for the works, and that I would see more to the execution of the plans properly, and to see that the work was terminated by the first of May, and consulting with him as to how he was going to do the work. We would work together, hand in hand, but I would interfere as little as possible—that is the way I looked at it that time.

Q. After having seen the way he was appointed?—A. Yes.

Q. You did not like to interfere?—A. I did not like to interfere much.

By Mr. Douglas:

Q. Were you frightened?—A. Well, yes, I did not know what was the object, why men of influence like those should have insisted upon a thing that was natural in itself, that is to say, that Mr. Kennedy should be overseer.

Mr. ATWATER.—I do not think this question can have the slightest bearing upon the object of this inquiry.

Mr. VANIER.—I would like to find out exactly the way things have happened, and whether a few politicians have backed up Mr. Kennedy.

Mr. ATWATER.—They are not politicians. You don't call Mr. Ogilvie a politician, do you, a man with such a large state and interest in the canal? Surely he can have something to say about that work?

Mr. VANIER.—If they are big enough men to take the responsibility on their own shoulders, let them do so, and let the public have a chance to see what they have done.

Mr. McLEOD.—You can get it out in cross-examination.

Mr. VANIER.—Were you afraid to interfere?

Mr. PARENT.—Well, I did not like to interfere.

Q. I wish you would give a full explanation?—A. I had no reason to be afraid to interfere. Why should I be afraid to interfere? If my interference had brought on some discreditable conversation I would have reported the thing to Ottawa.

Q. Did you not understand after that had happened that the department, or the Minister of Railways and Canals, wanted to take the responsibility of that nomination, and what would ensue?—A. I did not well understand the purport.

Mr. ATWATER.—I cannot see what bearing this question has upon the inquiry. Of course, any nomination that is made the department must surely be responsible for, to a certain extent. What is the use of asking Mr. Parent what he understands? It confuses Mr. Parent and puts him in a false position, and does no good to the inquiry.

Mr. DOUGLAS.—Mr. Parent as a suspended official, has a right to give explanations in his defence.

Mr. VANIER.—Had you not official notification of this special appointment of Mr. Kennedy from the Department of Railways and Canals?—A. Not from the department. It was verbal.

Q. Who told you about it?—Mr. Trudeau.

Q. Did he make any remarks at the time?—A. I believe Mr. Kennedy was there himself at the time.

Q. Did Mr. Trudeau tell you anything about it? Did he make any remarks?—A. Not the same day, but afterwards I did ask Mr. Trudeau himself what was the meaning of that appointment. I said: "The moment he is superintendent of the canal, there is no necessity for making him overseer, he is naturally overseer when he is superintendent." "Oh well," he said, "that does not matter," or something of that sort. I said, "What will be the position now?" The work was then supposed to be done by days' work. I said, "Would not his position be that of a contractor?" "Well," he said, "yes, you can take that view of it. Mr. Kennedy would be like a contractor," or something to that effect. Then I went off.

By Mr. Douglas:

Q. To look over the work the same as a contractor would look over his own work?—A. To take the same interest a contractor would take in his own work. That is what I told Mr. Kennedy afterwards in my office here. Mr. Kennedy came and said, "What is the relative position of both of us?" "Well," I said, "I think you should consider yourself as a contractor, and get the works executed under you as if you were the contractor."

By Mr. McLeod:

Q. About what time was that?—A. Some time in October, if I remember well.

Q. When was this conversation with Mr. Trudeau?—A. I think it was late in October.

The commission adjourned till 2 o'clock.

S. A. ABBOTT, *Stenographer.*

MONTREAL, 25th July, 1893.

Afternoon Sitting.

Mr. PARENT's examination continued.

By Mr. Vanier :

Q. Was not the water lowered in a few instances on the canal to benefit a few mill owners without your knowledge or consent?—A. As a rule I am consulted in cases of that sort. But it may have been that it has taken place without my being consulted. That I do not know. It should not have been so.

Q. Is it not to your knowledge that water was lowered in the canal without your being consulted?—A. No, I cannot say it has been done actually, but I heard it had been.

Q. Had you not any complaint that the water had been lowered to benefit one mill owner to the detriment of others?—A. No, but I heard that people were complaining, but I do not remember any case where the parties injured themselves complained of it. There have been rumours about it, but it is only rumours, and it did not happen where I was.

Q. It did not occur to you that some acts and favours were done by Mr. Kennedy towards some of the mill owners along the canal to the detriment of other mill owners?—A. Not aware of that.

Q. Was there not water lowered for the benefit of Ogilvie's mill especially to the detriment of others?—A. It may have been the case, but I cannot say it was not right. I do not know the circumstances. There is one thing I may say, and that is, it should not have been done without my consent.

Q. Was it done?—A. I only know it by rumour that the water was taken out sometimes when it should not have been taken out, but nobody has made a complaint.

Q. Taken out by whom?—A. Of course, by the superintendent. It is only he who can order the water to be let out of the canal. No other party can order it. I would not do it for Mr. Ogilvie or anybody else. If they applied to have the water lowered in the canal I would apply to Mr. Kennedy. I would say, "Mr. Ogilvie is pressing circumstances that need the water taken out of the canal." Then it would have been a question between Kennedy and myself as to the principle of doing the thing.

Q. Did you ever hear that some works along the canal had been done to benefit Senator Drummond's property at St. Henri or anywhere else?—A. No.

Q. There was a sugar factory?—A. Yes. I heard that there had been a piece of road macadamized that was to the benefit of the sugar factory. I did not pay much attention to the fact. Of course, it was not very important, but a little bit of road about a hundred feet.

Q. Did you hear that some broken stone on the canal bank was carted to Mr. Ogilvie's mills?—A. Yes, I heard about that. I tried to get rules about it, but there was nothing definite and we were too busy about that time to bother with those little details. But, I do not know what that constitutes. It may be all right for all I know. I do not know anything definite about it. I know that carts went there and dumped stone and concrete, and that I was told, and I wanted to go and see it, but had no time.

By the Chairman :

Q. Do you really know that those carts were sent there?—A. I know by hearsay from some witnesses who were heard.

Q. You do not know of your own knowledge?—A. No.

Q. Do you know if any government carts were there with stone, or that have put in government stone there?—A. I could not swear that I know it.

Q. Did you know anything about that road 100 feet long of which you speak; how it was made?—A. It was macadamized.

Q. Do you know who made it?—A. There is another thing which they told me was done by Mr. Kennedy. I do not know it myself personally, as I did not see the work done.

Q. Do you know with what stone it was macadamized?—A. They said it was the government stone. Could not say of my own knowledge. The whole report may be untrue. You hear so many reports on the canal, reports of people who wanted to hurt the superintendent.

Q. It must be a nice macadamized road, but who did it you do not know?—A. I do not know it myself. At any rate I had nothing to do with it. Never gave any orders to this effect. Sometimes the superintendent may do this. Sometimes on the bank of the canal a little bit of road was in very bad order and would not give an outlet to Ste. Catherine street, and a little bit of macadamizing would do it good and relieve the canal bank of a lot of encumbrance and allow the people to take St. Patrick street. I would say under the circumstances it was just as well for him to do it himself.

Q. Do you know that was the case there, and if the street was in bad condition?—A. I know the street was in a very bad condition, but I do not know whether Mr. Kennedy did it himself or did it at Mr. Drummond's expense.

By Mr. Vanier:

Q. Did you ever have reason to complain of Mr. Kennedy's conduct officially during the time he was superintendent?—A. We had some little quarrels. Kennedy is a man of temper and a man of ability. He is a man who has a good notion of his own value and I believe that, to a great degree, he is not predisposed to be subservient. He does not like to be bossed and wants to be boss. That is about the only complaint I made of him, because otherwise, as to his ability and energy and hard work, I do not know a better man than him.

By the Chairman:

Q. Taking Mr. Schreiber's letter of 23rd December into consideration, would you not say you had complete control over Mr. Kennedy in every way?—A. Yes, when Mr. Schreiber came into the office—well, the first letter I received of him was a kind of general routine letter, a circular letter.

Q. Was that of the 23rd December?—A. It must be about that time. It was sent to all the superintendents, saying they were all under my direction, and so on, and that I would be responsible for all they would do—a long routine story.

Q. But this is something more than a general circular, because I see Mr. Kennedy's name mentioned in the letter: "I may here state that I am not a little surprised you should have allowed superintendent Kennedy to invite tenders, etc., about the timber. I should be glad to hear from you that in the future you will take the necessary steps to better control your staff for the discipline of which you will be held responsible"?—A. Yes, I remember receiving that letter.

Q. So that after the 23rd December, you must have perfectly understood that Mr. Kennedy was entirely under your direction and control?—A. Yes, from that point I understood that.

Q. That was before there was very much work done even in the stone-cutting?—A. At that date, the stone-cutting was pretty far advanced and the plant especially was nearly purchased. A big portion of the expenditure had been incurred at that time. The purchasing of the timber and the iron work and tools, etc., were pretty far advanced at that time. He was getting ready to begin the work as soon as we could commence.

Q. Was the stone-cutting on lock No. 1 commenced then?—A. The stone-cutting commenced pretty well together.

Q. It was after that letter?—A. It was some time after that letter. I could not exactly say what date.

Q. Was it the date of Delorimier's tender?—A. It was after the acceptance of Delorimier's tender. The acceptance was on the 31st of December, and it commenced from seven to ten days after.

Q. The same applies to the cutting of stone for the Wellington bridge?—A. Only for the two to begin with. The Grand Trunk portion was not settled. It came on a little later.

Q. How much later?—A. The correspondence is all there.

Q. Have you ever been a contractor?—A. No, sir, but I have been dealing with contractors a good deal.

Q. You had much experience as an engineer?—A. I am in business for the last 25 years, doing engineering.

Q. You have always been connected with the construction and maintenance of canals?—A. I have been on the Lachine canal, to begin with, surveying it. Then, I was on the big drain made in the Lachine canal down below. Then, I was on the Carillon and Grenville canal for ten years, and then I came back on the Lachine canal here. Before that, I had surveys and things of that sort from the government.

Q. Knowing that you were in charge of all these works there, and that the superintendent was under your instructions, did you keep yourself informed of the progress of the work done?—A. I did all I could to get all the information possible. I wanted Mr. Kennedy to give me twice a week, as I was ordered from Ottawa, a report of the progress of the works and the number of men employed, and so on. The minister expected me to give him that report, and I could only give it through Mr. Kennedy. Well, he gave me one report and then I could get no more. I asked him why. He said, "I have no time to write; I am busy, I must neglect my work if I write reports." Well, there was some truth in that. It was not easy for him to write reports. I recommended him to be very economical and to be careful not to employ more men than were needed and so on, and he said he did the best and could not do better than he was doing.

Q. He had not time to scribble. Was that the expression he used?—A. He did not make use of that expression.

Q. Did he not use that expression when you asked for information or reports?—I suppose he used something of that sort. I do not know if it was the word "scribble." It is understood that with our intercourse we were rather friendly together. He might have used that expression and I would not have attached much importance to it. He had to attend to his work and had not the time to scribble or something like that.

By the Chairman :

Q. Was there any objection to your getting the time?—A. There was in this way. When I saw I could not get the report, I tried to get information and went to the timekeeper himself. Mr. Kennedy was not on the works, and I said, "I want to get that information." Well, he gave evasive answers for a while and finally said that Mr. Kennedy gave strict orders to give information to nobody. I said, "You should understand I am not nobody, and have a right to get information from you." Well, he said, "Mr. Kennedy made no exception for you." I said, "That is very well, but where am I to get my information. If I cannot get it from you, where will I get it?"

Q. How long did that state of affairs last?—A. Not very long, because Mr. Schreiber came along and I spoke to him about it.

Q. That did not prevent your getting the time at other times?—A. I could not get it, because I could not realize anything accurate, but that all passed in a few days. I met Mr. Kennedy and asked him what it meant, and he said, "That ma

should have enough common sense to understand that did not apply to you," I said, "Never mind, it did apply to me in that case," and so I went to Mr. Schreiber.

Q. What time was that?—A. About the commencement of April. He repeated the same thing to Mr. Schreiber when we were together all three.

Q. That only affected a few days?—A. That did not last long.

Q. Why did you not get the time at other times when you had the permission to get it when you required it?—A. Mr. Kennedy had a letter to give me the information twice a week, but he never did it.

Q. Why did you not see that you got it?—A. I got it afterwards.

Q. When?—A. After the conversation with Mr. Schreiber. I made it a point to go on the works myself and get the men.

Q. About what date was that?—A. After the conversation which Mr. Schreiber, Mr. Kennedy and I had together.

Q. Was that about the beginning of April?—A. About that.

Q. On the sixth of April?—A. It must have been on that visit. It was a good long while before the end of the works.

By Mr. Vanier :

Q. But the works were pretty well advanced then?—A. Yes.

By the Chairman :

Q. The works commenced some time in March?—A. Yes, the stone-cutting commenced before that. The masonry commenced about the 8th of March. The water was taken out and we then commenced.

Q. Did you not keep a record of the time of the stone-cutters in your office?—A. It was Mr. Kennedy kept all the time.

Q. For your own information, did you not find out?—A. I had no means of getting the time, except through Mr. Kennedy. I wanted Mr. Desbarats to take the time, and there was a letter from Mr. Kennedy that he did not want Mr. Desbarats to meddle with his affairs. That was his business and nothing could be done outside of him.

Q. Why did you not insist on it?—A. Because I did not want to quarrel with Mr. Kennedy. I wanted things to go on as smoothly as possible. I had great confidence in him and thought what he was doing was all right. I did not want to get at loggerheads with him, because then the work would not have gone on.

Q. Could you not have got some of your assistants in the office to go there occasionally, and count the men?—A. I might have done that.

Q. That would not have affected Mr. Kennedy?—A. It would, if Mr. Kennedy had perceived that there was somebody getting information. He said he would sack any man who would give any information.

By Mr. Archibald :

Q. Is that the letter you speak of, which is produced here?—A. Yes. I thought the best thing I could do was to get Mr. Kennedy to give me the information, as he chose, gradually.

By the Chairman :

Q. That would not have prevented you sending your own assistants, he could not have stopped them?—A. It would. If you read the letter you would see that. I would rather keep away from it and not get into any trouble as we had no time to quarrel.

Q. There was no necessity to quarrel?—A. No, but then there would have been discussion and that would not do.

Q. Is it not the custom in public works for engineers to keep a record of affairs?—A. Yes, and that was to have been kept by Mr. Desbarats.

Q. Why did he not keep it?—A. Because he could not get the information.
 Q. Why did he not get it himself?—A. Read the letter and you will know.
 Mr. KENNEDY.—Mr. Desbarats can see fifty men just as well as Kennedy.

By Mr. Atwater :

Q. What letter?—A. The letter in which Mr. Kennedy complained of Mr. Desbarats interfering.

Mr. KENNEDY.—What I meant by that letter was that if I ordered a man to shovel snow and Mr. Desbarats came and ordered him to cut ice, he would be interfering with my order. But Desbarats could count fifty men just as well as Kennedy.

Mr. PARENT.—I was refused the time.

Mr. KENNEDY.—I never wrote a letter to the timekeepers not to give the time.

Mr. PARENT.—No, but the order was given in such a way that your timekeepers would not give me the time.

Mr. KENNEDY.—That was between twelve and one when I was at my lunch?

Mr. PARENT.—Even if it was between nine and ten, you might have been somewhere else.

Mr. KENNEDY.—You only asked the timekeeper once for that information.

Mr. PARENT.—Yes, and I did not get it, and did not ask him any more. I asked more than once, but never could get anything but an evasive answer.

By Mr. Vanier :

Q. Did you ever complain about your trouble on the works to Ottawa?—A. Yes; once.

Q. What was the result?—A. Well, the result was, "If you are not satisfied with Mr. Kennedy, why do you not suspend him?" I said, no, I would not think of doing it. I was asked why, and I said: Because the work was all in his hands and too far advanced, and he was the only man who could carry them on properly. The idea of suspending Kennedy would not do at all. Well, they thought I was right and they let it go.

Q. Was not the position made for you on the works the result of the strong backing which Kennedy had in Ottawa?—A. I would not exactly call it strong backing, but there is no question, I did not understand what the government meant by putting Mr. Kennedy in that position with regard to me.

Q. Do you think you would have been in that position but for Messrs. Ogilvie, Drummond and Curran?—A. No.

Q. Was that the reason you had for not starting to quarrel?—A. There was no starting a quarrel, but I might have taken other ground, and that ground might have led to the suspension of Mr. Kennedy and made things ten times worse.

Q. Was it not the fear of losing your position that made you hesitate?—A. There might have been something of that too. In fact I had confidence in Mr. Kennedy, and although I was not satisfied with his way of acting in everything, if everything turned out all right, as I thought it would, I was not going to bother about it.

Q. How do you reconcile those two facts, the one being that Mr. Kennedy had special orders from Ottawa and a special appointment, and on the other hand, that Mr. Schreiber told you you had control over him?—A. That came along afterwards when Mr. Schreiber gave me orders, saying I was responsible for everything that took place on the canal. That came a little late as all the expenses were made.

Q. Did he know that Mr. Kennedy had been specially appointed by the department at Ottawa?—A. I do not know.

By the Chairman :

Q. When was Mr. Kennedy appointed?—A. In October, about the latter end of October.

Q. Is this the letter you refer to from Kennedy to you of the 4th of February, 1892?—A. There is a reply of Mr. Desbarats to that where he explains that when he went and asked explanation from the party on the ground it was because Mr. Kennedy did not happen to be there himself.

By Mr. Vanier:

Q. After reading that letter, did you consider yourself the chief and Mr. Kennedy the subordinate, or Mr. Kennedy the chief and you the subordinate?—A. I considered that I was the chief, but that I had better let the work go on and not get into trouble.

By the Chairman:

Q. Is it not quite common for contractors and others in public works to refuse to give the time of their men to engineers?—A. It is.

Q. The engineers have to look for themselves?—A. Yes.

Q. Do you not consider it a duty of an engineer to keep a close and regular account of the time?—A. Not in this case. In this case the man at the head of the works was an employee of the government himself and he kept the time, and it was known he was keeping the time.

By Mr. Vanier:

Q. You had no reason to doubt Mr. Kennedy's honesty?—A. None, whatever. I had full confidence in Mr. Kennedy. I told Mr. Papineau afterwards to go and have a timekeeper staff. He said: "There is no use keeping time." I asked Mr. Kennedy, and he said: "Of course, when I certify the pay-list, you do not suppose I do it without keeping the time." Mr. Kennedy said the same thing to Papineau, and I said to Mr. Papineau he need not keep the time as there was no necessity for two government employees keeping it.

By the Chairman:

Q. Do you not think that, for your own information, to ascertain what the cost of the work was, you should have got definite information?—A. I do not think so. It was a question of economy. The work was costing high enough and we would have to hire at least two men more as timekeepers.

Q. Could not your own staff have done it?—A. We had only two men, and they were busy all the time taking measurements and levels, &c.

Q. You had stone measurers?—A. Yes.

Q. Were they under your control or Mr. Kennedy's?—A. There were none under my control. They were under Mr. Kennedy's control. I was only there to see that the works were properly executed and finished by the 1st of May.

Q. Were you not requested to furnish a statement twice a week?—A. Yes.

Q. Why did you not do that?—A. As I stated just now, I could not get the information.

Q. It seems to me you could have got it from some of your staff approximately at any rate?—A. You see I was refused. The fact is I was watching to some extent, but it was personal more than anything else. I would go over the works and look around and see so many men, but there were men scattered in all directions, and I could not see everything myself.

Q. Did you take down the men yourself?—A. No, but I would see there was a crowd of ten here and ten elsewhere—about a hundred altogether.

Q. Did you ever make an estimate of what the stone-cutting was costing?—A. At the commencement I did, but at the end there was no means of doing it at all. We were rushing the work too fast to be able to do that. I would have required a staff of men to look after that. We were rushing the work so as to finish it in a few days, and I had no time to go and count what it would cost. I had confidence in

Mr. Kennedy that he was doing the thing all right, and I did not see why I should not let him go on and do the work with his staff of timekeepers. I saw no reason for additional expense to have the time kept over his shoulders.

By Mr. Vanier :

Q. You know that Mr. Kennedy was responsible for the good economy of the works?—A. Of course.

Q. Was not your own staff curtailed by the department in obliging you to replace Mr. Desbarats by Mr. Papineau from your own office?—A. Yes, I had to take two men out of my office. It was on account of economy.

Q. Did they not do that to save expense?—A. Yes, they said there were enough in my office to do the work.

Q. Would you have been allowed two men to do the work?—A. I do not know, but when they were going on economy so strongly I did not try it.

Q. By doing so, you would have complied more closely with your instructions?—A. Yes, I could have followed my instructions better by having a staff of timekeepers.

Q. Suppose you had one man?—A. One man would be no use in counting a big crowd.

By the Chairman :

Q. Did you make frequent visits to the works when in progress?—A. I visited them every day at least twice, and sometimes three times, and sometimes four times, and at night also.

Q. You would have required night men?—A. Yes.

Q. You went at night also?—A. Yes, and I caught a cold which stuck to me all the time the works lasted.

Q. Did you notice anything special during those visits?—A. Sometimes I noticed something not going on right, too many carts lying idle. I called Kennedy's attention to the fact and he said, "They are not doing anything just now, but when I want them in a quarter of an hour, I want them on hand, and do not want to lose time running after them." I thought the argument was pretty good. It is true in some cases I saw men idle. While there would be a man sawing logs those who were prying stones out of the cribwork would stand idle while the sawing was going on. A gentleman to whom I made the remark said, "If you must go into those niceties you will not get much work out of those men." It was getting about eleven o'clock, and it is well known that men, when it comes to the eleventh hour that way, you do not get much work of them. They are tired and exhausted, and when they did not do their day's work about eleven o'clock, you will not get much more than what they did so far.

Q. Did the force appear to you to be excessive?—A. For a work that we would have had a month more to do it in, I would say the force was certainly excessive, but for a rush work which had to be finished in a certain number of days, happen what may, I would not call it excessive. There were plenty of them, however, and some were idle and should have been put off sometimes, but they probably knew the foreman was not near by and not looking.

By Mr. Douglas :

Q. You are referring to the two bridges?—A. To the work all over. When they had a chance to loaf, they did loaf, there is no question about that. When they thought those who were looking on were bystanders and not their foreman, they would take it easy; but when the foreman came along they would fly away.

By the Chairman :

Q. On the whole, do you think the force was excessive?—A. Under the circumstances I would not say it was. You had to have a crowd of men, even if they did

only half a day's work. If every man did half a good day's work, it was satisfactory, because we had to rush the work and have plenty of men. The work was finished only at the last hour, notwithstanding the large force of men that was there.

Q. That would multiply the ordinary force required by two?—A. I suppose so. Even with an ordinary force of men, you do not always get a full day's work out of the men. That is well known to contractors. On the Grand Trunk canal, we found that out too. The foreman, in one instance, was the only man working, and the others were all idle.

Q. He was the man who should not work at all, but see that the others did?—A. Certainly; that is why he was put off.

By the Chairman :

Q. Did you ever make estimates of the cost of the work as it progressed?—A. I gave up making estimates after the 13th. There was no use making estimates when they were changing all the time. You had no basis whatever to go on. We were running as fast as we possibly could to try and get the work finished by the 1st of May. Looking on at a fire, you do not calculate and make estimates how much water you are going to waste on the burning house and how much it will cost. It was something of that description. We were running as fast as we could to try and finish the work; it was finished and finished satisfactorily the last moment.

By Mr. Vanier :

Q. After the changes were made, all parties concerned knew perfectly well that the appropriation would be too small?—A. Everybody knew that of course.

Q. All orders came from the department in Ottawa, for changes and things of that kind?—A. Yes.

Q. You had no authority to make these changes of your own accord?—A. No.

Q. You say that Mr. Kennedy declined to take charge of the Grand Trunk bridge?—A. Yes; and I think he was perfectly right. He had his hands full. I knew that. I told him before, when I first heard that the Grand Trunk refused to do the work because they were not able to finish it by the 1st of May—and then there were no abutments—that means that that work is going to be put off another year. We will not be able to do it this year. Then, orders came from the department saying, "You must do the work." We said, "If it must be done we will do it, and will do it the best we can."

Q. They did not specify any amount?—A. No.

By the Chairman :

Q. Did Mr. Kennedy actually take charge of the Grand Trunk bridge?—A. No, he did not.

Q. Did he keep the time?—A. I suppose he did. He certified the pay-lists and everything, and must have kept the time.

Q. On the Grand Trunk?—A. I understood so.

Q. Do you know who his timekeeper was?—A. One was Coughlin. He had four or five. He will be able to give the details better than I.

Q. Were those two timekeepers under Mr. Kennedy's control?—A. Entirely.

Q. I think you said that Mr. St. Louis proposed to take charge of the work?—A. Yes, but it was not accepted, because he could not take charge of the work and build it himself at the same time.

Q. It would not be a good arrangement?—A. No; so he was allowed to supply the men to Mr. Papineau who had the right to reduce the number of men if he chose. I remember making some remarks and some little changes took place.

Q. Do you know if Mr. Papineau did that?—A. I think so.

Q. Did he ever do it?—A. I think he did. I know he took action on the Grand Trunk.

Q. Why did you not see he was carrying out his instructions?—A. I told you before there was lots to do, and it was supposed he was carrying out instructions.

Q. Would you have known definitely whether he was or not?—A. If I had known what I do now, I would have seen closer to it.

Q. You should have seen to it at the time and have known it at the time?—A. Yes.

Q. Do you say it was ordered that Mr. Desbarats should be taken away and Papineau put in his place. Is it not a fact that the works were not commenced then, that he had not even staked out the lines for the bridges, and that Papineau did that himself?—A. Yes, but he was not prepared for it. It was on the 1st of March that Desbarats was put off and the works were commenced on the 8th, and then Papineau came in, knowing nothing at all about the state of things, and he had to go in and study the ground and everything and had only a few days.

Q. He had eight days?—A. That is not much.

Q. All he had to do was to study the plans?—A. And the ground, and he had to study all that with the derricks and engines and all kinds of plant in his way. I remember being there trying to help him the best way I could to get his points. It was a very difficult matter.

Q. At that time Desbarats had not made any points. He had not staked out the bridge?—A. No, but he had points. I know he had some we could not find out.

Q. But the bridge was not regularly staked out?—A. No.

Q. Did Mr. St. Louis carry out his contract as you expected in the selection of good men. You stated in your telegram that the men should be choice men. Was that carried out?—A. To a certain extent, but not all through. Some men he supplied were not first-class men.

Q. What proportion?—A. I said five per cent of what was left after they sacked men, because they used to sack men pretty lively. I saw them sack two or three in a quarter of an hour.

By Mr. Douglas :

Q. You stated in the beginning of your examination that you were not responsible for the original plans of the bridge. I find by letter dated 18th October, 1893, from you to Mr. Trudeau, chief engineer of canals, that you say, "I beg to submit for your consideration series of plans and an estimate of the cost in connection with the building of the new bridge across the Laehine canal on Wellington street." Then, you go on to estimate the total cost of the works at \$175,000, and then you advise the government to build the substructure by days' work.—A. Those plans were sent me from Ottawa for examination and to sign them after approval.

Q. Were you asked to approve of these plans?—A. Yes.

Q. And the estimate?—A. Yes.

Q. Did you not make an estimate for yourself?—A. Yes, but that was afterwards.

Q. Why did you put your name to an estimate you knew nothing about?—A. I looked at it, and found it was good enough, and then on a second thought I said, Look here—

Q. Answer my first question. At the time you wrote this letter you had not made calculations?—A. I had made calculations and had seen all those calculations in Ottawa before they were sent to me. After I signed them, I got thinking it over and said that will not do, that is not enough. That amount will not cover the expenses. So, I was making a second calculation to submit to the government telling them we must increase the cost, when the change came on to 18 feet, and then the 22 feet and so on.

Q. We have had all that before. Did you get definite instructions to sign these plans and estimates supposed to be worked on?—A. No, there were no definite instructions.

Q. Were you so bound to Ottawa that when they made plans and sent them down, you signed them?—A. Yes, to make them uniform and not mix up things. I would sign them in Ottawa, and was the party to sign them.

Q. Why were you not asked to make plans and submit estimates instead of having them made at Ottawa?—A. I suppose Mr. Trudeau wanted to have control of the thing. It was all discussed at Ottawa and made up together.

Q. Is that not an unusual way?—A. Yes, but I could not help it. I accepted what was sent, but every time I went to Ottawa, I would consult with Mr. Desbarats and see what progress was made with the plans.

Q. You were responsible for the work and were actually under Mr. Desbarats at Ottawa?—A. No, he was working for Mr. Trudeau; and every time I would go to Ottawa, I would examine the plan.

Q. Did you give instructions to Mr. Desbarats about those plans?—A. No, we discussed them together.

Q. On the spot?—A. Especially the size of the cribworks and other things, the depth and quality, etc.

Q. On the 18th January, I find a letter from Mr. Collingwood Schreiber to you saying: "Please send me as early as possible tracings and plans of this masonry as it is proposed to be built. I find there is no copy in the department." Did Mr. Desbarats bring the whole plans of that bridge down here to Montreal?—A. Yes.

Q. Leaving nothing in Ottawa?—A. I presume he left nothing in Ottawa, since they could find nothing.

Q. You would suppose by Mr. Schreiber's letter of the 18th of January that that was the first time he saw the plan of the substructure?—A. Yes, the substructure at that time was prepared in Montreal, because it was the abutment and centre pier which was made in Ottawa. It was all ready, but the abutments were not ready.

Q. So far as Mr. Schreiber is concerned, this office is responsible for the plans?—A. Of course.

Q. Would you judge so from that letter?—A. Yes.

Q. He said in his testimony \$20,000 is what you estimate it. That is for the change of 600 yards in masonry which he said he made?—A. Yes.

Q. So that this office is responsible for the plans subsequent to the 18th of January?—A. They were made in Montreal, not in this office, but in the Wellington office.

Q. Were you called on to give an estimate of the increased cost owing to the enlargement?—A. I do not remember ever been asked to give one.

Q. Did you give an estimate for the increased depth to be added on to the original estimate?—A. Not to my recollection, unless verbally, and then it might have been at a glance. Nothing was calculated in the office, nothing in writing.

Q. To the best of your knowledge, you do not remember giving an estimate to Mr. Haggart or Mr. Trudeau?—A. No, it was all verbal after the first original estimate, and I do not think I ever entered into an estimate when the abutments were decided upon. There may have been a little talk.

Q. Have you any personal knowledge of the account with regard to the Wellington street bridge, or did you sign them merely as superintending engineer?—A. That was the principal thing. I knew quite well there was material required of a certain character, and the accounts were certified by those who received the material and those who ordered it. Everything was correct, and I supposed it was all right.

Q. Here is an account of Henderson Bros., exhibit C 12, in which the original bill of timber for \$15,000, and there is a bill of \$45,000 additional, \$60,000 in all. Was it to your knowledge that that amount of timber was got above the original contract?—A. The original contract only purported a certain amount, and the false work was not calculated in that.

Q. There was an original bill of quantities given out and a contract entered into with Henderson Bros. for it, amounting to \$15,000 for timber. Above that, there was \$45,000. Was that to your knowledge?—A. Yes, in this way: I knew it was going into the false work. I knew the timber had been required, and when the bill came in I signed it.

Q. Was that \$45,000 of timber bought to your knowledge?—A. Before it was bought, did I know?

Q. Was it bought with your sanction and knowledge?—A. No.

By Mr. Vanier :

Q. Were there any regular requisitions?—A. No, none to buy.

Q. Did Mr. Kennedy have any authority to buy that extra \$45,000 from you?—

A. I do not think he was authorized by me, not to my recollection. He may state if I did or not. I do not know.

Q. Did you make any efforts to check the amount of timber delivered?—A. Not the quantity.

Q. Did you take the bill as granted?—A. Yes, I went around and looked at the timber bought and I remember some of it was rejected because it was not the proper size.

Q. Did you sign your name to bills of timber, culled spruce, culled plank, culled deals of every kind, spruce and hemlock invoiced at pine prices.

Mr. ARCHIBALD.—I object to that. The commissioners says these are pine prices when they are not.

Mr. DOUGLAS.—The only thing before the commission is the original contract. There is no contract for anything else.

Mr. ARCHIBALD.—The contract with Henderson Bros. does not say pine timber but simply timber, and the price he is to get for it.

Mr. DOUGLAS.—The specification was entirely for pine, and all this lower price timber had been invoiced at the rate for pine, and I ask Mr. Parent if he is responsible for these accounts. He signed his name to them?—A. I did not look over every item, but I sent this to Ottawa. I signed them on the faith of the signatures from the men as correct.

Q. You made no personal investigation yourself?—A. I did give some examination to it, but not into all the details.

Q. Merely as checking it a little?—A. Yes, I did not go over the whole thing as I did not have the time. The accounts came in rather late, they were waiting for them in Ottawa and we had to hurry, but everything was signed as received correct, and I thought there was no risk in signing.

Q. Here are some accounts of the Royal Electric Co. for \$60, \$128, \$380 and \$140. Do you know anything about these?—A. Yes, those accounts were looked into more carefully, because they are not very long.

Q. You signed them because Mr. Kennedy signed them?—A. No; I looked into those.

Q. Look at exhibit C2?—A. If I looked at the account, I thought it was all right.

Q. Were there tenders?—A. I think there were tenders for that coal.

Q. Here is a very large account all charged to Wellington street bridge. There is an immense amount of material there which was not used and remaining in the workshop. Was that ordered without your knowledge?—A. If it was purchased with my knowledge and with a requisition, the requisition would have accompanied the account.

Q. That was ordered by Mr. Kennedy and you signed your name in the same way because the storekeepers signed it?—A. Yes.

Q. Look at exhibit C7 being an account for Douglas fir?—A. I was authorized by Ottawa to purchase that without tender.

Q. Here is an account from the Ingersoll Co. for one engine and two hoists, all additional to the derrick. Was that with your sanction?—A. No.

Q. With your knowledge?—A. The Ingersoll Co. had a contract for a certain number of engines and the additional machinery was bought.

Q. Were the additional engines necessary?—A. Wherever I looked on the work everywhere and where engines were made use of, there was not more than were needed. It was very safe to have them under the circumstances, as to finish on the 1st of May was the big point.

Q. In the derricks, I think additional machinery were bought outside the derrick. I presume you saw them and considered them necessary?—A. If you buy an engine, you also buy the rigging along with it.

Q. Who made requisition for labour on the Grand Trunk bridge to Mr. St. Louis?—A. It does not seem as if there was any and that was contrary to orders.

Q. Was that on the certificate of labour in the pay-lists countersigned by you?—A. Yes, under the control of Mr. Papineau, who would see that there would not be too many men.

Q. Mr. Papineau said he did not take any responsibility with regard to the labour?—A. He should have followed his instructions.

Q. He said he had instructions from Mr. Kennedy and you that it was not necessary?—A. It was not that. It was to keep the time, and not to see whether there were too many men or not. He had the conduct of the work as assistant engineer.

Q. He made no requisitions for labour?—A. No, they were provided on the order of the foreman.

Q. Verbal orders?—A. Yes; Kennedy in the one case, but Mr. Papineau in the other case.

Q. Mr. Papineau said he gave none?—A. It is he who should have given them in his position of assistant engineer.

Q. You know nothing of the providing of men on that work?—A. No.

Q. Do you know anything about who were Mr. Kennedy's timekeepers?—A. Mr. Kennedy appointed them.

Q. Not on the Grand Trunk?—A. He appointed timekeepers for all over. He kept the time all over and signed the pay-lists.

By Mr. Vanier :

Q. On both bridges?—A. Yes; he said he would not sign the pay-lists if he did not keep the time.

By Mr. Douglas :

Q. The evidence before the commission has been that one of the night timekeepers, who is timekeeper on the Wellington street bridge, was instructed to walk over the works every night and give a general idea by counting how many men there were. And this night timekeeper for Mr. Kennedy says he did walk over and did not take very long about it. Is this what you call timekeeping?—A. No; I did not say Mr. Kennedy appointed all the timekeepers, but he appointed the timekeepers who were working under his control. Whether he appointed a sufficient number or not, I do not know.

Q. Did you ever apply to Mr. St. Louis, timekeeper, for the number of men employed?—A. Yes.

Q. To whom?—I applied once to Mr. Villeneuve, but in conversational way.

Q. You never got a list?—A. No; I expected that to be supplied to me by Mr. Kennedy, who was the overseer.

By Mr. Vanier :

Q. Who placed Mr. Papineau in charge of the Grand Trunk and Wellington bridges?—A. I put him there, but it was Mr. Schreiber who told me to do so. I insisted on keeping Mr. Desbarats.

Q. The plans of the bridges that Mr. Schreiber signed were made where?—A. I do not know that he signed any, except the substructure.

Q. The substructure?—A. I do not know that he signed any. I am inclined to believe that the plans now shown me were made in Ottawa, by Mr. Papineau. I know that he worked on plans of that sort.

Q. Were all the plans made when Mr. Desbarats left?—A. No; about half the plans actually existed that were made then. The others were made since by Mr. Papineau.

Q. You said in your original evidence that the original plans were sent by Mr. Trudeau from Ottawa down here for you to countersign or approve of?—A. Yes.

Q. The same thing with regard to the estimates?—A. Yes.

Q. You sent them back to Ottawa?—A. Yes.

Q. Had you sufficient confidence in Mr. Trudeau, the late chief engineer, to sign plans and estimates without going into them?—A. I did look into them and followed them as they were worked up. I knew all about these plans and estimates before they came down, and followed them when they were being made in Ottawa. I saw what they asked for, the masonry, cement, &c., and I approved of that, but after a second thought, I said, "That will not meet the necessities of the case." So I said, "I am going to make another and a larger estimate," and it was when we were just going to work to get it finished that changes came along, 18 feet instead of 15.

Q. Was not a good portion of the material bought by Mr. Kennedy, as the work progressed, without your sanction?—A. Always. Not in the beginning. In the beginning we had a talk about the contract, and arrangements were made as to how we would dispose of them and what kind of material we would buy. There was a good deal of discussion about that, and we came to the conclusion that we would apply for tenders. Tenders were called for, and the Ingersoll Rock Drill Company got it.

Q. Is it not the usual practice for a chief engineer to countersign accounts and pay-lists without going into a minute verification of everything?—A. Of course. It is when his subordinates have already signed the same. In all business it is always that way.

Q. Is it not the usual practice for chief engineers to sign plans prepared by subordinates without going into minute details and checking over measurements?—A. Yes, not only for engineers, but for nearly all lines of business. There are ways of doing things by specification and tender, and it would be easy to make requisitions, but Mr. Kennedy said he had lots to do and could not be writing out requisitions every day.

By Mr. Douglas :

Q. You had instructions to stop cutting stone for lock No. 1?—A. Yes.

Q. Did you stop it?—A. I immediately transmitted the order to Mr. Kennedy.

Q. Did you give any instructions to Mr. St. Louis to stop the stone-cutting?—A. I remember one day I was passing the sheds—that was a couple of days after I received the letter from Mr. Schreiber—and at one of the little shanties I saw the hollow quoin patterns there. I asked what that was for, and they said, "We are just going to cut hollow quoins." I told the foreman not to do so, and he said, "What are you going to do?" I said, "Lock No. 1 is stopped, and you must give up cutting for it." He said, "What will we do with the stone commenced?" I said, "Continue and finish it, but you must stop all the rest." I went away and thought it was all right, especially as Mr. Kennedy had been informed of the order.

Q. Did you give instructions in writing, or was it merely verbally to one of St. Louis' foremen?—A. Yes.

Mr. St. Louis.—It is not Mr. St. Louis' foreman, but the foreman which Mr. St. Louis supplied the government. He had no control over the men.

Q. You gave instructions to the foreman St. Louis supplied the government?—A. Yes.

Q. Do you remember his name?—A. No, I never knew him.

By the Chairman :

Q. You spoke about the timber delivered by Henderson Bros. Are you aware whether it was all pine or not all pine which was put into the work?—A. There was false work which took a good deal that was not pine. In the permanent work, I believe, it was mostly pine. Some few pieces may have gone in not pine. I think it was all square timber.

Q. Do you know that two carloads of hemlock went into it?—A. It might be possible. It was square hemlock, though.

Q. Was it not flattened?—A. I do not remember seeing any of the flattened, and even if it did go in, it would not have struck me at the time, because, after all, if it was with cross-ties I would not mind, because it is just as good as the other.

Q. Is it worth as much money?—A. No.

Q. How is the timber billed in the account?—A. I did not see that there was hemlock put in for pine in the account.

Q. Do you know how the account was worded and what was charged?—A. No, I do not remember now.

Q. Was there any charge made for culls and flattened spruce or other timber of that kind in the bill that you are aware of?—A. No, certainly. If I had seen anything in the shape of culls it would not have passed if charged at the price of plank. If it was worded culls and that kind of thing, it would not have got in.

Q. It is not so described in the bill?—A. I do not suppose so. You quite surprised me when you mentioned at all that there had been something of that sort. I did not go through the bill of timber from one end to the other. It came to me for my signature and the checking had been done and I took it for granted.

Q. Had you no timber inspected?—A. There was a culler. I do not remember his name. Mr. Kennedy had a culler.

Q. Is it not usual for the culler to give reports to you of the timber?—A. No, he gave them to Mr. Kennedy.

Q. Did you not see the timber yourself?—A. Yes, I saw a good deal of timber that I condemned. Some of that flattened timber I would not take because it was not the right size. It was called to be ten inches flattened and was only five and below. I said that I would not accept anything below eight inches.

Q. Was that for the permanent crib and wharfing?—A. More for the pile driving.

Q. Flattened?—A. That is not convenient. There are lots of stringers and cross-ties to go in there. That was not done but left off for another year. That was not accepted because it was not the proper flattened timber.

Q. Had you to reject large quantities of wood on that account?—A. We condemned about 300 or 400 sticks.

Q. Of what length?—A. Between 20 and 30 feet. Some of them may have been used in the permanent work for cross-ties.

Q. Some were condemned?—A. They were condemned for one purpose and might be good for another.

Q. There was no specification for the cribwork?—A. No, it was made by the day, so that we did not make any specification. If it had been by contract it would have been different.

By Mr. Atwater :

Q. Were the changes in the original plan made on account of the necessities of the canal?—A. Yes. The first change was the 18 feet, just the same object as the 22 feet. It was made to suit navigation and the trade generally, which wanted deeper navigation.

Q. Were those changes necessitated by the demands of the trade?—A. Yes, very strong influences were brought to provide for 22 feet for navigation.

Q. That it was in the interest of the country generally?—A. Yes.

Q. That was one principal change?—A. Yes.

Q. That change increased the cost, did it not, considerably?—A. Yes.

Q. What cost?—A. Especially the increase of labour and the short time. If he had had lots of time it would not have made much difference.

Q. You had to do it while the water was out of the canal and so as to have the canal ready for navigation by the 1st of May, at all events?—A. Yes, that was the condition. You might as well give up your head altogether if not finished the 1st of May.

Q. In your capacity of superintending engineer for a number of years on the canal, what do you think would have been the consequences to the country generally

if the work had not been done by the 1st of May?—A. It would have been an immense loss for every day's delay. Some people put it at over \$200,000 per day. I should think \$100,000 per day would be enough. There were ships waiting for their cargo and vessels above waiting to come down.

Q. You know that the loss to the ordinary traffic of the canal would have been very serious?—A. Yes, not so much for the canal as for the trade.

Q. It would have far more than balanced any additional expense incurred by pushing the work during that period?—A. Certainly.

Q. You just spoke of one change as being in the public interest, the deepening of the canal. Who was it that stated they would build the Grand Trunk bridge?—A. It was the Grand Trunk.

Q. It was only after that your department understood that the Grand Trunk would not do that?—A. A good deal later on.

Q. About what time?—A. I gave the date this morning. It was about the commencement of March.

Q. Up to that time, all that had been contemplated with regard to the Grand Trunk bridge was the superstructure?—A. That is all.

Q. The government were going to put in a new superstructure for the Grand Trunk and they were to build their own abutments?—A. They were to do everything and the government would refund them.

Q. Then, they found out, as late as the 1st of March, that they could not undertake it?—A. Yes, they said they were not able to do it.

Q. And about that time you were constructing the Wellington bridge and had done so much of the work that you had to go on?—A. Yes. It would have been time still to delay one year, and I thought the government were going to put it off to another year.

Q. But it would have been very awkward?—A. It would have been a serious loss of work that had been prepared and done.

Q. The permanent staff had been at work since December?—A. Yes, and all the materials and everything had been contracted for.

Q. What extra work did the undertaking of the work on the substructure of the Grand Trunk entail on your department?—A. The first thing was the Dominion Bridge Co. They told us that the iron pier of the Grand Trunk Railway, as it was, would not answer the purpose; that they would require two new courses of masonry projecting a little beyond what they were. Secondly, since we did not want to renew the pier itself, the same protection had to be made against the undermining. We had to put close sheet piling all around the Grand Trunk pier, which is very expensive. Further, we had to make two large abutments, one on each side, for the ends of the Grand Trunk bridge. Then the cribwork had to be sunk deeper than first intended. The two abutments of sheet piling and the raising of the pier and the changing of two courses of masonry, and the rest was the contract of the Dominion Bridge Company.

Q. You had to provide for the Grand Trunk bridge, the water being 22 feet also?—A. Yes.

Q. None of that work was contemplated in the original estimates?—A. No, there was nothing to be done except the superstructure of the Grand Trunk bridge and the removal of some cribwork.

Q. When was it contemplated you were going to commence the work when you made this first estimate?—A. The 15th December.

Q. You were going to unwater it at that time?—A. Yes, up to February, more or less, according to requirements.

Q. And your idea, when you made the first estimate, was that you would have from the 15th of December until the 1st of May to do the work on the Wellington bridge only?—A. Yes.

Q. When, as a matter of fact, you found yourself having to do the work from the 1st of March to the 1st of May on both bridges?—A. Yes, a great increase of work.

Q. Why did you not commence work on the 15th of December?—A. On account of the pressure brought to bear on the government by interested parties, mill-owners especially, who wanted to stop the job and said it was ruinous.

Q. In other words, the water of the canal keeps going a great many industries?—A. Yes, it keeps a great number of men busy.

Q. And if these industries had been shut down three or four months, the men would have been thrown out of employment?—A. Undoubtedly.

Q. It was on that account the work was delayed as late as possible?—A. Yes.

Q. When you did commence and go on with the work, what were the conditions you had to labour under?—A. Well, they commenced in March. When the water was taken out first the ice was cut, to give us a chance to build and haul, at a great expense. The water was then taken out of the temporary work, erected platforms, and platforms in the bottom of the canal, inclined planes to get to the canal on the Wellington basin and two or three others at the sheds. There was a lot of false works there and then, there was a temporary bridge erected there, not only for the public but for the wants of the workmen and the derricks and all kinds of things. Then, there was the putting up of the dams, making cofferdams, and the cofferdams broke and we had to take them out. They broke a second time and we pumped them out again. And then, another big cofferdam which was not anticipated had to be made. There was a dam about across the canal and the wing dam carried all along their extent.

Q. What we have seen in the photograph?—A. Yes, all that work was very difficult to get over and the men were working under very unfavourable circumstances. Afterwards the flood came on from the St. Lawrence and made us lose two or three days. There was also the building of the highway. In fact, there was a foreman all the time.

Q. From your knowledge of the work —We have heard the evidence of Mr. Beemer who said he thought the work could have been done without removing the ice and by working through it. Would that have been feasible?—A. It is not my opinion. It might have been done and it was the way I intended to do the work if they started the 15th of December. Secure a good cofferdam around the main pier, while the water was out of the canal, build it up and then let the water into the canal and use the ice.

Q. What about the abutments?—A. They were not foreseen at the time. It was when the abutments came the whole thing was changed. We had to change all the plan. There was no more work under the same conditions as before.

Q. Speaking of the actual work done, what is your opinion of the feasibility of this scheme of cofferdamming mentioned by Mr. Beemer?—A. I did not believe it could have been done safely. If there was lots of time, you can try a dam, if you do not succeed, you will try it over again.

Q. But if you had failed in this experiment, and lost three or four days, you would not have completed in time?—A. No.

Q. Have you had experience working through the ice?—A. Yes; I remember at St. Ours we had works going on to cofferdam, and they were building cribs for the cofferdam on the ice. The ice was pretty solid, but when they got the timber required for two or three rows of cribwork on the ice, the ice began to sink and they had to work in water all the time. Ice is not much heavier than water and it does not require a great deal to sink the ice down and you get the water on the ice and you work under water.

Q. The same thing might have happened here?—A. There were a great many chances it would have been the same.

Q. As things turned out, they had a pretty hard winter last year and the ice frozen on the bank, but was there any means of knowing that in December or November when you were making your arrangements how this work should be done?—A. No; we expected a softer winter. Cannot expect the ice to be thicker than 3 feet.

Q. Even so, there might have been obstacles to working safely on it?—A. Yes.

Q. Even if it had been done in the way spoken of by Mr. Beemer, how would the cost compare with the cost of the work as it was done?—A. I do not know. I cannot realize how we can prevent its going to cost a great deal, because the cofferdam would be as high as the level of the water in the canal, and getting around all those structures there, it strikes me it would be very expensive. I do not see how they could have made a cheap job of it. Fifteen high to cofferdam is no joke.

Q. You have spoken about these false works and temporary works, have you any idea of the quantity of materials that went into them?—A. I know there is a great quantity went in. I asked Papineau to make the measurements and I think he did.

Q. What would you say as to the necessity of these false works? How far were they necessary to build the permanent works?—A. In my opinion I would have done away with the platform on the south side, some 800 feet.

Q. What was that used for?—A. For the derrick. Still I cannot say that it might not have saved some days, and that was a great item. I think that might have been avoided, but that is a matter of opinion. Some others might say that has been a great service, but I think if the derrick had been put on the ground it would have answered the purpose. Perhaps not quite as well, but might have done nearly as well.

Q. Leaving out the platform, the rest was necessary?—A. It was not too much. If we had time it was too much by a great deal, but under the circumstances we had to keep on the safe side.

Q. You had to do a certain amount of work in a great hurry and had to provide ways and means accordingly?—A. Yes; and it was foreseen that all this timber which went into the false works had to go back into the permanent works.

Q. Did you take into account in your first estimate the cost of the false works?—A. No; because it was not intended to use them. What I intended was to put a cofferdam just around the pier and then have the whole from the cofferdam on the sides bridged over and have your derricks on each side.

Q. That was before the changes were made and with the idea that you would commence the 15th of December, and that all you had to do was to provide a centre pier for the Wellington bridge and remove a certain amount of cribwork?—A. Yes; then the ice would be strong enough and could be used to help for the derricks. All the stone would have come on the ice.

Q. Did any one ever tell you that you need at all be afraid about reproving Mr. Kennedy?—A. Well, I do not well remember. I knew there was something of that sort, certainly.

Q. You were never notified officially?—A. It was conversations. They said: "If you are not satisfied, why do you not put him out." I said: "I cannot do it." He is absolutely indispensable and must stay there. That is my opinion. Other people think he was not indispensable at all, that many men can do that another man can do.

Q. You were afraid of interfering with the progress of the work?—A. Yes; the next man stepping in Mr. Kennedy's place would have to lose three or four days posting himself up.

Q. This interview you have spoken of in which you referred to Messrs. Ogilvie & Curran, where did that take place?—A. In Mr. Trudeau's office, Ottawa.

Q. I understand it was simply a recommendation to give Mr. Kennedy charge of the bridge?—A. Yes.

Q. Was not that all it was?—A. Well, I do not know what he meant. There is one thing sure, that they might have dispensed putting him the question in that way in my presence, because it was a very delicate thing for me to hear.

Q. All that depends on the intention. Mr. Kennedy was naturally the man who would be the overseer as he was the superintendent?—A. I could not well make out why they made it a special point to put him there when he was naturally the man to be there.

Q. Do you know whether there was any discussion as to another man being overseer?—A. I do not think so. I felt first it was a blow at me.

Q. How did you feel that; Mr. Kennedy did not get any emolument or extra fee?
—A. No, after working hard he got suspended.

Q. There was nothing very extraordinary about the gentleman you have mentioned speaking to Mr. Trudeau on behalf of Mr. Kennedy to have him appointed overseer?—A. No, I do not say there was. When I come to think of it now, I do not feel it in the same way as I did then. I could not make out what they meant.

Q. When did that take place?—A. Towards the middle of October.

Q. After it was determined to build the bridge?—A. Yes, it was at the time they went up as a delegation, after a meeting which had taken place in Mr. Ogilvie's, about leaving the water out in December or March.

Q. It was after they had come to the conclusion it was in the interest of commerce and the factory that the water should not be let out until March?—A. Yes.

Q. It was in connection with this that these parties thought Kennedy was a good man to be overseer?—A. Yes, now I understand it in that way, but at that time I thought it meant he wanted to be independent of all interference from any outsider at all.

Q. In justice to the parties named, they never said anything of that sort in your presence or hinted such a thing?—A. No, it was the mere thing they proposed.

Q. They gave Mr. Kennedy a recommendation as a competent man to fill the post of superintendent of the bridge?—A. I see it in that light now, but did not at the time.

Q. They never said anything to you which would infringe on your prerogative?
—A. No.

Q. Mr. Trudeau gave you no instructions to that effect?—A. Yes, he told me Mr. Kennedy would be overseer of the works.

Q. He never said that Mr. Kennedy would be over your head?—A. No, more than that, he gave me to understand that Mr. Kennedy would have that position, but would act under my control. It was the question of limited control then that struck me. I did not know exactly what amount of control I should exercise.

Q. Mr. Kennedy may have got an exaggerated notion of what his powers were, but all I want to bring out is that neither the department nor the officials ever told you that he was your superior?—A. No.

Q. Or that he was beyond your control?—A. That was my first impression, that he was to have the conduct of the work and that I need not have anything to do with it.

Q. But you found that the instructions of the department were almost opposite to that and that he was to be under your control as engineer?—A. Yes, it was so understood afterwards.

Q. When you said you saw men idle at the time, did you see more men idle on these works than you would be apt to see on others?—A. I was everywhere on the works. The other day I was looking at some works under contractors where there was not a big crowd, and you could see a couple of men loafing when the foreman had his back turned.

Q. Where is that?—A. On Notre Dame street.

Q. Evidence has been given before the commission that a tremendous amount of loafing was going on?—A. Not so much as that, but there was some.

Q. Nothing more than might have been expected on work of this size?—A. What might be expected.

Q. And as regards the carts, did you notice more than were necessary?—A. I saw some carts that were idle, four of them in a row along the wall, and I asked Mr. Kennedy what they were doing there. He said: "They are idle at the moment, but in a quarter of an hour I may want them, and I do not want to have to run after them when I want them."

Q. Did you take that as a reasonable explanation?—A. I thought that he wanted them in a quarter of an hour and it was all right. No doubt there must be things of that sort, so that at a given moment, instead of sending outside the works for carts they may be on hand. He may have told them in a disciplinary way, to get out of the way until called for, and not be in a bunch together obstructing the work.

Q. You said you saw a man sacked. Was that done on more than one occasion?
 —A. Yes, I saw Mr. St. Louis do it a couple of times and Mr. Kennedy too. On one occasion, I remember when one o'clock struck, there was a man who had not finished his pipe and he was still sitting down pulling a couple of whiffs more. At the moment, he was going to strike his pipe and would lose about a minute, but he was immediately dismissed. At one o'clock every one must get to work and not show a bad example.

Q. Who put him off?—A. Mr. St. Louis himself.

Q. Who gave you orders about stopping the cutting of stone on lock No. 1?
 A. At first Mr. Kennedy in writing.

Q. Where were the original plans made?—A. The plans of the original work were made in Ottawa.

Q. By whom?—A. By Mr. Desbarats.

Q. And were sent down here?—A. Yes, for approval.

Q. Can you tell how many cubic yards of masonry the first plans provided for?
 A. About 800 yards.

Q. How much per yard did you calculate that stone at? You have in your original estimate \$8,025 for stone. At how much per yard did you calculate it?

A. In the original estimate it was only a pier. That was about sixteen hundred yards of masonry.

Q. As a matter of fact, there was 4,370 done finally?—A. Yes.

Q. It was on that estimate an appropriation of \$170,000 was made?—A. Yes.

Q. Your estimate for labour in that original estimate is \$33,000?—A. That was not enough even for the work originally contemplated. And \$6,400 for the plant was not enough.

Q. What you estimate for there would have been enough if the work had been only what you originally thought of doing and had commenced at the time intended?
 —A. Yes, pretty nearly enough.

Q. So that at the time the appropriation was asked, the estimate and the amount asked for was sufficient considering the work to be done?—A. I would not say sufficient.

Q. Speaking of the false works, look at the statement C 30, produced by Mr. Parizeau, of timber; can you form any idea whether the quantities entered as quantities to be accounted for, could have gone into the false work?—A. I would not like to guess at it.

By Mr. Archibald:

Q. I think you said there was a lot of mill-owners who met with regard to the subject of unwatering the canal?—A. Yes, and not only mill-owners, but other business men more or less interested.

Q. What was the object of their meeting?—A. There was a double object. It was to discuss whether it should be a bridge built there or a tunnel, and there had been measurements and plan made for a tunnel. Then came the second point, which was drawing the water out of the canal, and the mill-owners decidedly objected to that. They said: "We have large interest at stake, we have orders to meet and it will be impossible to do so if you take the water out at that season."

Q. Were they not anxious, in any event, whether the water was taken out in December or March, that it should be out as short a time as possible?—A. Undoubtedly.

Q. Do you think that delays are sometimes caused by the formalities necessary in government offices for complying with their rules and regulations?—A. Certainly.

Q. Now, did not the mill-owners fear that if the job were left to the usual formalities of government offices it would not be done as quickly as it might otherwise be done; that plans and specifications and public tenders and red tape of every description, if resorted to, would have made it impossible to complete the job on time?—A. It would have, commencing at the time we did.

Q. Was not the reason of these mill-owners asking for Mr. Kennedy to be appointed overseer of the work, with some little additional power beyond what he had as superintendent, to provide against delay and the accomplishment of the work?—A. That may be, and it is likely there was something like that, because they knew quite well Mr. Kennedy was a man of great energy and push.

Q. Would it have been possible to foresee at the beginning what materials would be required for the accomplishment of that work?—A. It was not impossible, but was not likely that a man could think of everything in so short a time when he had so little time to prepare.

Q. Do you think it would have been prudent in the construction of the work if materials were requested then and there, to incur the delay of sending for tenders, get tenders together, and send the tenders to Ottawa to be approved?—A. There was another way. There was a requisition.

Q. A requisition would have been the cause also of a little delay?—A. Yes.

Q. Where goods had not been tendered for and required, was it practicable under the circumstances, in the middle of the work, to follow the rules of the department carefully?—A. No, there would have been considerable loss as we could not get any kind of a tender without four or five days being lost.

Q. It would mean, certainly, that the work would not be done?—A. Not in time.

Q. There was not a day to spare?—A. No.

Q. In the specifications of lumber prepared by Mr. Desbarats at the beginning of this work, they were not for the exact quantity?—A. In my opinion it was a certain amount required at the time, and afterwards if more were wanted, more would be ordered.

Q. Everybody about the works understood that?—A. No doubt; the lowest tender got the contract and there was not enough of material; we asked for more.

Q. You never thought of asking for other tenders?—A. No, we had no time.

Q. Where were the stones cut for the various works?—A. In the sheds. Jacques' sheds.

Q. Were those sheds divided from each other in any way?—A. There was a kind of roadway between them.

Q. The stones for the Wellington bridge were not got the same way as those for the other work?—A. There are three sheds. The Wellington bridge occupied about two and then the No. 1 lock and the Grand Trunk bridge occupied the balance.

Q. Do you remember having any conversation with Mr. Kennedy with regard to the place where the lock No. 1 stone should be cut?—A. I remember at the time he wanted to put them in Jacques' shed, No. 1.

Q. Did he not want to separate them from the Grand Trunk bridge stone?—A. Yes.

Q. Do you know the reason his opinion was not taken?—A. I do not remember what took place. There was a complaint, I believe, from St. Louis to Ottawa, and action was taken whereby it was said it was better to let the stone go with the rest. Mr. St. Louis complained of the loss of time caused by the men having to go four or five sheds further when they had enough to do at one shed. Mr. Kennedy did not want the stones mixed.

Q. Would it not be embarrassing to the timekeeper to take two separate times on two lots of stone?—A. The timekeepers had no reason to take separate time for lock No. 1.

Q. They would not know by looking at the stone what it was for?—A. No.

Q. Do you remember having a conversation with Mr. Kennedy in the presence of Mr. St. Louis' foreman with regard to the stopping of cutting lock No. 1 stone?—A. I said that on the first occasion I first wrote to Mr. Kennedy, and about the day after I happened to pass the sheds, and, in a little shanty, there, I saw Mr. St. Louis' foreman of the stonemasons. I saw him with the models and patterns of hollow quoins. I ordered them to stop the work, as the lock was stopped. He said: "What

will we do, we have lots of stone commenced cutting?" I said: "Finish what you have commenced, but do not undertake any more."

Q. Was that said in Mr. Kennedy's presence?—A. No.

Q. Are you quite sure?—A. Yes, because if he had been there, I would have applied to him.

Q. You do not remember speaking to Mr. Kennedy about the matter?—A. Yes, I did.

Q. Did you tell him they were going on with the stone already commenced?—A. Yes; it would not do to leave the stone half finished.

Q. Mr. St. Louis did not obey your orders?—A. Yes, they did, because they did not cut any of the hollow quoins.

Q. But they went on cutting lock No. 1 stone?—A. It looks like it. Mr. Kennedy should have stopped them.

Q. They should have obeyed your orders?—A. Yes.

Q. Because you were Mr. Kennedy's superior officer, anyway?—A. Not in their eyes. You remember what Mr. Schreiber, himself said that nothing was to be done except through the overseer, Mr. Kennedy. That is why I wrote to Mr. Kennedy.

Q. You are aware that Mr. Villeneuve was appointed timekeeper by somebody?—A. Yes.

Q. Did he take the time of the stoncutters on lock No. 1?—A. Yes, but Mr. Kennedy took it also.

Q. It was Mr. Villeneuve took the time of the stoncutters on the two works?—A. My impression is that Mr. Kennedy had a man on to check.

Q. Do you know by whom Villeneuve was appointed?—A. I believe Mr. St. Louis took him. I believe he had leave to take him as timekeeper for himself.

Q. Mr. Villeneuve was paid by the government?—A. He had a salary. He was not paid as timekeeper.

Q. But he was paid in some capacity?—A. He was paid as clerk in the office of the collector, but having nothing to do in the winter he picked up little jobs.

Q. Did you often see Mr. St. Louis dismiss men for loafing?—A. On two occasions I saw him. On one occasion I saw him put a man off himself.

Q. To whom did he give orders?—A. I did not notice the man.

Q. Were you often on the work?—A. Yes; sometimes four times a day, sometimes only once.

Q. Did you see Mr. St. Louis frequently?—A. Yes.

Q. What was he doing?—A. Going around the works and overseeing the men.

And further deponent saith not.

The commission then adjourned.

E. J. DUGGAN, *Stenographer.*

LACHINE CANAL INQUIRY.

MONTREAL, 26th July, 1893.

The commission met at 10 a.m.

Present :

Messrs. McLeod, Douglas and Vanier.

Mr. PARENT recalled.

By Mr. Douglas :

Q. When were you first aware that the abutment was to be built to the full depth of 22 feet?—A. About the 17th January.

Q. Is this plan, No. 693, the one you sent from Montreal to Ottawa to be approved of?—A. Yes.

Q. You will notice in that pencil marks showing where Mr. Schreiber changed the quantity of masonry in the abutments?—A. Yes, I remember the change. I was there when it was proposed to alter that.

Q. You saw the pencil marks there?—A. Yes.

Q. And the same on the Grand Trunk bridge where the masonry is reduced?—A. Yes, I think that is what it is. I was in Ottawa about that time. I know that Mr. Schreiber reduced the quantity ten feet on each side.

Q. What depth of water do those plans show?—A. 22 feet, because the height of the masonry is 25 feet.

Q. Then Mr. Schreiber would be responsible for those plans, would he not?—A. Yes.

Q. They were made under his direction?—A. They were made under my direction here in Montreal, but they were approved of by him. Of course, they had to go for his approval—that is comprising 22 feet navigation.

Q. When you sent those plans did you send any estimate with them?—A. No.

By Mr. McLeod :

Q. No estimate at all?—A. No estimate. We were in a hurry and wanted the plans, and we sent them as soon as we possibly could.

Q. Was there no estimate made up to that time?—A. The only estimate made was the one for 15 feet. I was not asked to make an estimate. There was not much made of mason estimate since it was to be done by day's work by the government themselves.

Q. You wanted an estimate to find out the quantity of the stone?—A. That was calculated afterwards.

Q. The estimate was calculated after that was sent up?—A. Yes, it was made in the office. I do not think it ever went to Ottawa. I never sent any estimate to Ottawa, to my recollection.

Q. If you did, it would be in the records office?—A. Yes. There may have been something verbal about it, but that is all.

Q. There is something said about a pile of earth at the side of the canal; do you know anything about that pile of earth?—A. Yes, that was the earth that was excavated by the dredge.

Q. When?—A. In the fall—Well, I should say it would be about the latter end of November.

Q. For what purpose?—A. To repair the foundation of the cribwork, the extension cribwork, and for the main pier, also the Wellington bridge pier.

Q. It was made in view of those instructions?—A. Yes, excavated so as to have less to do when spring came on. When we commenced the excavation the dredge had worked faster, and the whole thing was dug out in view of deepening to an 18 feet navigation. It was after that that it was decided to dig it down to 22 feet, so it had to be dug still more. Then that earth was put on the bank.

Q. In view of these projected works, would it not have been wiser to remove that earth further away, so as not to be in the way of the stone?—A. I do not know about that. We might have wanted that for cofferdamming; that might have turned out useful to make a cofferdam. It was very good stuff.

Q. And that large quantity?—A. Not the whole of it. It was left in the neighbourhood of the work so as to be on hand if required. That was the intention at the time.

Q. Was it so close to the works as to impede them?—A. No, not the way the works were projected at the time. But afterwards it turned out to be too close, because we extended the false works considerably.

Q. You had to put down a much larger quantity of masonry?—A. A much larger quantity all through.

Q. Well, would it not have been wiser to remove it further away?—A. It might have been better to put it a little further away. There would have been that much more haul if it had been required.

Q. But a couple hundred feet in carting is nothing?—A. I suppose it would not have made much difference. At the time we thought it was far enough away.

Q. You say something in your letter to Mr. Schreiber about political interference; what do you mean by that?—A. Well, it was not merely on account of what I said yesterday; on account of the nomination; the special appointment of Mr. Kennedy as overseer; but it was also on the pressure of different parties to try and get as many as they could of their friends into positions on the works.

Q. What kind of men?—A. Well, labourers—trying to get friends to work on the canal. I know there was a good deal of that, but that is of no great importance. The principal point that I alluded to was the fact of influential political men recommending a man that was under my control to a position giving him a kind of independence. I may have been mistaken as to their intention, but I felt so at the time, as I said yesterday, and it made me feel uneasy.

Q. You said you changed your mind in reference to that yesterday? A. Well, I believe so. I do not know what their intention was, but I interpreted it that way until lately. Now I think that was not their intention at all. I admit that they had no such intention at all. I did not attach any importance to the words "political interference." I might have struck off that word in my report just as well as not.

Q. You might have struck out the word and not have mentioned it at all?—A. Yes; it was not important enough to mention? You think now it was not of sufficient importance to have mentioned it?—A. No; it was not. I feel now that I would have done better not to mention the words "political interference."

Q. Are you aware that there was any political interference in the way of getting friends on to the work?—A. I know myself that I have been asked if I could not get work for men on the canal. I said I had nothing to do with them. Mr. St. Louis has also told me that he was pressed by people to put men on the work, and it was awkward not to be able to please friends, and so on. But that is of no importance, because on all government work it is quite common.

Q. You think it is of no importance?—A. No; you are not obliged to employ men because they wish to be employed.

Q. Did it actually affect the works in any way, to your knowledge?—A. No; I could not say it made any difference at all.

Q. Were any men employed in consequence of that who did not understand the work?—A. Not to my knowledge.

Q. What was the state of the labour market in Montreal at that time, that is to say, were there plenty of men to be had?—A. Well, \$1.25 was about the average wages.

Q. But were there plenty of men?—A. Oh, yes; plenty of men, as many as we would like to have.

Q. Then at that season of the year there would not be much danger of strikes?—A. Well, I am not sure about that.

Q. If there were plenty of men they would not be likely to strike?—A. Well, they will strike sometimes. There was plenty of work in contemplation by the corporation of Montreal, there was a tunnel projected, there was work in the streets by the street railway company, there was plenty of work in contemplation.

Q. But had they commenced?—A. No; but they were about to commence.

Q. Do you know when they commenced those works you speak of?—A. They commenced later than was anticipated.

Q. About what time?—A. The tunnel on Berri street was supposed to commence pretty early, and the consequence would have been that the men might have gone to work there. At any rate, it was feared there might be strikes on the government works.

Q. Still there was an abundance of men?—A. There was an abundance of men; we found that out afterwards. There is another thing that I did not think of, the factories were idle, and that gave us all the men of the factories, and that had not been taken into account.

Q. Were they good men?—A. There may have been better men, but, of course, they always got a little preference on account of the water being taken out of the canal, which was accustomed to furnish them employment. They were thrown out of employment by that fact, and they would likely get a little preference.

Q. Who directed that they should get a preference?—A. There were no directions about that. I merely say it was likely, and that brought on the market a great many more men than we expected there would be.

Q. You are not aware that any such preference was given?—A. No; I could not say that it was actually the case, but I remember we had conversations about it, that it would only be doing justice to these men to give them the preference. I think I talked about that with Mr. Kennedy.

Q. You are not aware that it was done at all?—A. No; I am not aware that there was any action taken in that sense.

Q. Don't you think that, taking into consideration the number of men at hand, it was more advantageous to build those abutments at that time than in the summer?—A. By all means it would have been better to build in the summer, and cheaper also, if we could do it.

Q. It was utterly impossible to do it in the summer?—A. It was impossible, we could not stop navigation.

Q. The weather was better in March than in December, January and February, was it not?—A. No; the month of March was a very cold month.

Q. Still it was better than January and February?—A. I suppose it was milder than January, but still, March was a cold month.

Q. Would you have lost a good deal more time in January and February than you would in March?—A. No; because the earth was not frozen. There would have been no frost if we had commenced on the 15th December. The frost would not be in the ground, and would not be in the works that had to be pulled down. It was very expensive to work at frozen earth and frozen filling in the cribwork. It was far more expensive in March than if it had been done in December and in January.

Q. Still, labour done in January and February would be much more severe than labour done in March?—A. The weather would have been more severe.

Q. More constant?—A. More constant. I do not remember how that was in December. I think December was pretty soft. I know that while the works were going on it was very cold. It was very cold in March for the season.

By Mr. Vanier :

Q. Did you ever hear that labourers and other employees on those works were imposed by outside parties?—A. No, I am not aware of that.

Q. Did you hear that in general the men who were engaged on those works had to have a letter of recommendation from outside parties?—No, I did not hear that.

By Mr. Douglas :

Q. Were you consulted as engineer as to the methods of carrying out the work on the Grand Trunk and Curran bridges, I mean as regards the erection of stagings, the placing of derricks, and all that sort of thing? Did you sanction the plan that was adopted of carrying out the works?—A. There was a little conversation about it, that is all, as to what was going to be done, and I thought it was all right.

Q. You were consulted about it?—A. A little, by conversation, saying: We intend to do this and we intend to do that. I said that is all right.

By Mr. McLeod :

Q. Did you approve of it?—A. Yes, it was all right. I wanted to know myself how it was going to be carried out.

By Mr. Emard :

Q. I think you said yesterday that you saw Mr. St. Louis dismiss some men?—A. Yes.

Q. Was it not natural on his part to send away men that were not doing their duty?—A. Yes, I even found him severe.

Q. There was nothing irregular in that?—A. Nothing irregular.

Q. Have you not heard him say more than once to the foremen, that any man not doing his duty should be sent away and another taken in his place? He wanted every one to do his duty?—A. Yes, I heard him say that several times, and I heard him say that on one special occasion when he dismissed a man himself. He told that man to go away, and he had only been there about five minutes. Mr. St. Louis told him: Now you had better go, we don't want men like you.

Q. Was it not natural for him to stay there and see if they were doing their duty?—A. Yes. Although he was not in charge of the works from the first, he had offered to give all good will.

Q. Was it not natural for him to see that the men should do their duty?—A. Yes.

Q. You know the contract of Mr. St. Louis with the government about labour?—A. Yes.

Q. And you know about that question of overtime?—A. Yes.

Q. Under the contract passed with Mr. St. Louis, and the circumstances of the case, don't you consider that that part of the contract regarding overtime ought to cover all the evening and night work, and is not that the opinion you gave to the department?—A. According to my personal opinion I should think what night work and Sunday work, not being foreseen in the contract—

Q. And not being covered in the contract?—A. Not being covered in the contract, I should think that overtime ought to cover night work, because it is customary on government work to pay men more for night work and Sunday work than for day time work. Often the time is doubled.

Q. It has been stated by witnesses here that overtime was the additional time worked by a man after his day's work?—A. That is the meaning of it.

Q. And that night work was not overtime because it was not additional time performed by a labourer?—A. I understand that.

Q. Would you not consider that, for a contractor furnishing labour, this definition would not apply? Does it make any difference for a proprietor or the government, whether labour is performed by the same man who has done a day's work, or by another man who commences at night?—A. Well, that is a matter of interpretation.

Q. Under such circumstances would you not consider that the word "overtime" ought to cover all this labour performed after the usual day's work?—A. This is how I would look at it: If this point had not come into question, I should have found it very natural that they should consider night work as overtime, and I never would have thought it was not right. But that point has now come into question, and many men of experience have given the opinion that it could not be called overtime.

Q. Now, outside the question of prices, is it not a fact that night work is worth at least as much as overtime, according to the definition of witnesses?—A. Yes, I should think it would be the same. A man that works after his day's work, works at night, it is a portion of night work. That is the practice on government work.

Q. I suppose it was foreseen that there would be night work?—A. Well, not at first; but when Mr. St. Louis signed his last contract it was foreseen.

Q. Then where would night work come in if it was not come under overtime?—A. I do not know.

Q. That is your reason for saying that overtime ought to cover night work?—A. Because it was not mentioned, and I should consider it meant that, and that is why I returned it as being all right.

Q. I suppose it cannot be presumed that night work would be performed by the same men for a month or so?—A. When it is for all night. The men that work at night should be a separate gang of men.

Q. Although it was not specified in the contract, did not Mr. St. Louis go further than he was bound to go? Since night work was not mentioned, did he not go further than his contract required by furnishing a night shift?—A. Well, he had to furnish them, that was his contract. If they were required he had to find them.

By Mr. Atwater :

Q. Do you know whether it is not a practice always on public works of every description for the friends of a man seeking employment to use their influence to get him employed on the works?—A. Of course.

Q. Do you see anything improper in that?—A. Not at all.

Q. It is done everywhere, is it not?—A. I would do it myself if I had some one for whom I wanted to get work, and I have done so myself. I would go around and see if I could not get him employed.

Q. Do you mean to say that men were, in any way, improperly employed on those works owing to the interference of any parties as having political influence?—A. No, I do not mean to say that.

Q. In other words, the work was not retarded, nor men employed who were not fit for their positions, from any cause of that kind?—A. No.

Q. Do you know of any cases where friends of men seeking employment tried to get them employed and were refused?—A. I could not say that I was witness to anything of that sort, but I know that it has taken place.

Q. It is within your official knowledge?—A. I know that if all the men who were recommended had been put on the works we would have had a couple of thousand men there all the time.

Q. Then the political interference was not actually a factor in the matter?—A. Oh, no, not to that effect. I am sorry I mentioned political interference at all, because it does not amount to much.

By Mr. McLeod :

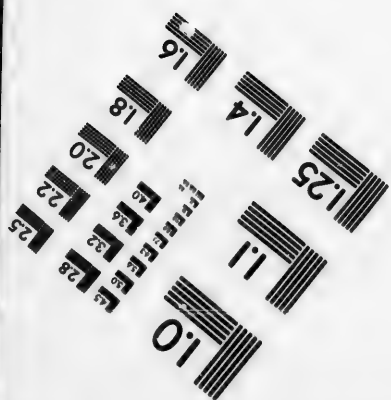
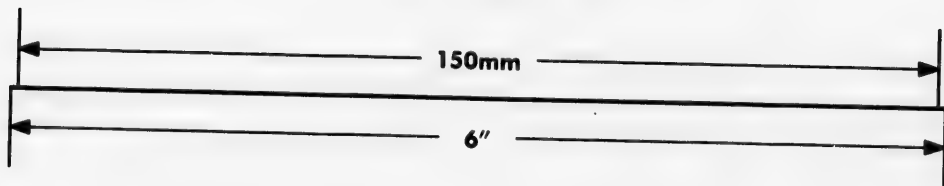
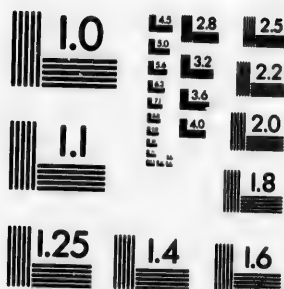
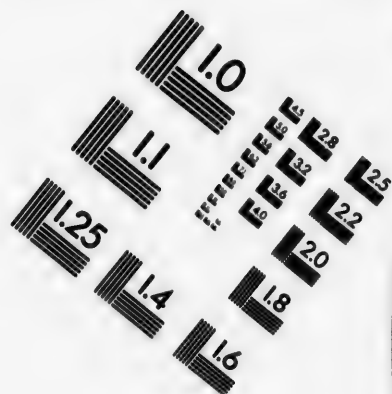
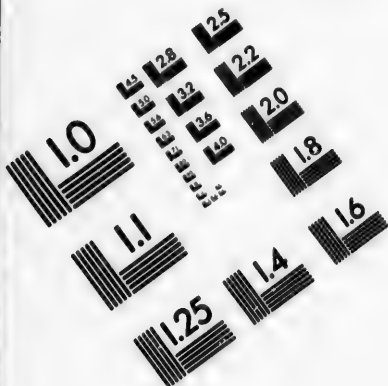
Q. You stated that you did not consider night work was provided for in St. Louis's contract at all?—A. No, there was no mention of it.

Q. There was no price for it?—A. No.

Q. What was Mr. St. Louis's position on the Grand Trunk bridge?—A. He was to supply the men as required. The foremen were his foremen, they always worked with him, and to a great extent he controlled them. But he was not independent in his control, he had to be under Mr. Papineau's orders. At the same time, Mr. Papineau could, at any time, stop Mr. St. Louis in anything he did. In the mean-



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time Mr. St. Louis gave his help in pushing on the works. But that is all he had to do; he could give us good-will, but nothing more. He directed his foremen, because Mr. Papineau was very busy elsewhere on the ground, and Mr. St. Louis did his best to help him.

Q. Should he not have taken his instructions from Mr. Kennedy?—A. I believe he did. I believe Mr. Kennedy had refused to have anything to do with it—not precisely refused, but he said he could not undertake it. He said: "I have got my hands full with the bridge already, and I cannot undertake that work." So it was understood that Mr. Kennedy's work on the Grand Trunk would be limited to keeping the time.

Q. Is there any record of Mr. Kennedy's refusal to take charge of the Grand Trunk bridge?—A. Well, there is my correspondence. I am not sure that I corresponded with Ottawa, but I think I did; I corresponded with Mr. Papineau, and told him that Mr. Kennedy, having his hands full, or being too busy at the Wellington bridge, could not take charge, and that he was put in charge of the Grand Trunk. I think I corresponded with Ottawa and mentioned the fact, and if there is any correspondence to that effect, it must be on file. However, I am not positive about that.

Q. Is it not customary for a superintendent sometimes to have 30 miles of work to look after at the same time, and half a dozen bridges and culverts going on all at the same time, miles apart?—A. That has happened.

Q. Constantly?—A. But not when you are obliged to do the whole work in a few days, and keep a constant watch on what is going on. I think Mr. Kennedy had plenty to do on the Wellington bridge. However, with some extra good foremen, he might have done it.

Q. Would you not have supplied him with all the foremen and assistants he required?—A. I could not have done it personally, because I did not know the foremen.

Q. Could he not have supplied them himself?—A. He might.

Q. All the assistants he wanted?—A. He might, I do not know. But he could not do it on account of the contract that Mr. St. Louis had.

Q. Surely he could have got enough assistance from you, all your assistants?—A. I do not know. My assistants had no experience in those works. I would not like to have asked them to take the responsibility. They might have been able, but I did not like to run the risk.

Q. What kind of assistants has a superintendent usually got?—A. He has got his foremen of works, he has generally got a foreman carpenter. He has got a good many skilled men around him who might act as foremen.

Q. Could not Mr. Kennedy have got all those?—A. He had them, they were working for him in other capacities, they were all employed, but they were employed at those works.

Q. He could have got as many men as he wanted for that purpose?—A. I am not sure about that. Then I do not know that he could have done it. He had to apply anyway to Mr. St. Louis for the men he wanted, on account of the contract. Mr. St. Louis had contracted to supply all the labour the government required. He could not go beyond Mr. St. Louis's contract. He had to apply to Mr. St. Louis for any men he wanted.

Q. He might have got as much assistance as he wanted in that way?—A. I think he might have got the assistance that he required. However, he did not like to run the risk of that. That is his own business, of course.

Q. Had Mr. Kennedy any other duties during the winter time?—A. Well, he had the duties of superintendent. He had also to attend to the break at St. Gabriel where there were very important repairs going on at the same time. He had to share his time between the St. Gabriel works and the Wellington bridge works and to be all over the canal besides that.

Q. Was there other work going on?—A. Not much, something at Lachine, some little works. In the spring time especially the superintendent is kept pretty busy over the canal in looking after ordinary repairs.

Q. What is the length of the canal?—A. Nine miles. Mr. Kennedy was kept very busy all winter, there was no question about that, and all the spring.

Q. But still the amount of work he had to do could not compare with that of a superintendent having 30 miles of public works under his control?—A. You must take into consideration that Mr. Kennedy was busy night and day, he had hardly time to take his meals and have a little sleep. Then he was watching the thing very closely. It had to be done with no loss of time and the works had to be properly conducted. In many cases I was a witness that accidents would have happened to the derricks if he had not been there, by people who did not know how to handle them.

Q. But does it not seem to you that when these two bridges were only one or two hundred feet apart, one superintendent would have been able to oversee both works?—A. To tell you the truth, when Mr. Kennedy told me that he had his hands full, I must say that I thought he was right. I would not like to undertake both works together, although there was not much to watch on the Grand Trunk. But there were the derricks, there was the responsibility for any accident that might happen in the conduct of the work. Then if the government had objected in any way, they might have ordered Mr. Kennedy to take charge.

Q. Were the government aware that Mr. Kennedy was not in charge?—A. My impression is that I did write to that effect.

Q. Can you lay your hand on any correspondence of that sort?—A. I will look after it.

By Mr. Vanier :

Q. You mentioned in several letters to the government that Mr. Kennedy refused to take charge of the Grand Trunk bridge because he had his hands full?—A. I must have mentioned that.

Q. Is not the superintendent generally very busy every year in April, on general repairs?—A. Yes, that is what I have just stated.

Q. When the water is taken out of the canal?—A. Yes.

Q. Did he superintend those repairs last April?—A. He superintended them as much as he could. Of course he had to trust some one.

Q. Had he to neglect the supervision of those repairs last spring, to your knowledge, on account of having extra work on hand?—A. No, I do not suppose anything was neglected. I know there was some work supposed to be executed, but was not executed, put off for another year.

Q. On account of the construction of the Wellington street bridges?—A. Probably it is on that account, because he was too much pushed.

Q. Before this inquiry began did you hear anything about Mr. Kennedy changing his appropriations?—A. No, I did not hear that before.

Q. Did you hear that the workmen employed on the canal, had been doing private work for Mr. Kennedy?—A. I heard it stated by the witnesses here, that is all I can say about it. I think I did hear rumours about it, but I did not attach enough importance to the thing to remember it now. No, I can say that I was not aware of that before the question came up before the commission.

By Mr. Emard :

Q. I believe you said that Mr. St. Louis had given orders to the foreman Trudel?—A. Yes, that whenever any man did not do his duty, to discharge him at once.

Q. Is it not a fact that Mr. St. Louis has always told Trudel and the other foremen to take their orders from the authorities, such as Mr. Papineau and others?—A. I am aware that he actually said that. But in the mean time, I dare say that when Mr. St. Louis saw something going wrong, he would take it upon himself to direct the men, and it was so understood. He was to direct the work, he was to direct the foremen to some extent. In one instance that I saw that a man was arguing, he sent him off the works. And when a derrick was wrong, or something of that sort, he would say : that derrick is not right, you should do this and do that. He would give advice, but I do not suppose that Mr. St. Louis ever took charge.

Q. You would not consider that as an interference with the work?—A. No, I do not think that is interfering with the work, but he directed, to some extent, his foremen.

By Mr. Douglas :

Q. Mr. Schreiber stated here that the Grand Trunk bridge was removed against his orders. Did you give orders for that removal? How was it removed against Mr. Schreiber's orders?—A. I think Mr. Schreiber did not give orders.

Q. Was it removed contrary to his orders?—A. The rails were taken up on two occasions, but it was with my consent it was done.

Q. Who ordered them to be taken away, Mr. Trudel or you?—A. Mr. Trudel proposed it. We were several of us together, and they were talking about it, saying it should be done now because we wanted it for the works; we were ready to pull down that cribwork, and it must be done at once. I had a notion to wait a little longer, but after a while I said: "All right, take up the bridge." Before then I went to the Grand Trunk authorities and spoke to them about it. They were pretty much put back at the idea of the rails being taken up. They said: "If it must be done, do it." So we waited a little longer and took them up.

By Mr. Emard :

Q. Was not Mr. Wainwright in favour of it? Didn't he approve of it?—A. I cannot say that he approved of it, but he did not disagree. He said: "If it must be done we cannot help it."

Q. Are you aware that Mr. Hannaford said that the work would not be done by the 1st of May?—A. Yes.

Q. I suppose he did not feel very anxious to help the progress of the work?—A. I do not know anything about it.

By Mr. Douglas :

Q. Were you ever told not to take that bridge away?—A. Not on the first occasion.

Q. Not by anybody?—A. Not by anybody; Mr. Schreiber did not say: "You will wait till you get orders to take it down." I am positive there was nothing in the shape of orders.

By Mr. Emard :

Q. Could the work be done otherwise than by removing those tracks?—A. They had to be removed, and they were removed only a little later on. It was a question of opinion. On the first occasion the bridge was to be removed from its place. Sooner or later the bridge had to be shifted and moved, and that is the thought I had in my mind.

Q. Was it under your orders or those of Mr. Kennedy that the bridge was moved?—A. My impression is that it was mine. But there were no orders not to do it; of that I am positive.

Q. Would not a contractor of over 30 years' experience be better able to select and furnish men, and a better class of men for that work, than the government could have done?—A. That is my opinion, and that is why I recommended that system.

Q. Now, was not that system adopted in your time previous to this occasion?—A. Not to my knowledge.

Q. Did you not give another contract of the same kind, a year previous for the repairs?—A. I do not remember, not to my knowledge.

Q. Do you not remember that there was a break on the canal and that men had been hired through a contractor to do the repairs?—A. I believe that the contractor did the work. Oh, that is at St. Gabriel break. Well, I know that a contractor worked there, but I was not aware it was done on this system. Mr. Kennedy could tell you that. However, I never had anything to do with the system of hiring

men. Perhaps he may have applied to Mr. Turner and said: "Will you supply a lot of men, you know the men?" That may be what took place, but it is not a regular contract, I do not think.

Q. But without being a contract, the system was the same, and what was the result?—A. The result was good; the work was done.

By Mr. McLeod:

Q. Where was that?—A. At St. Gabriel break.

By Mr. Vanier:

Q. Do you know why you were suspended?—A. I was suspended, as I understood, because the works had cost too much. Then I heard Mr. Schreiber say in his evidence that it was because I disobeyed orders.

Q. Did anybody write to you about it?—A. No.

Q. You never received a written document suspending you?—A. Oh, yes, I had a letter, Mr. Schreiber gave me a letter suspending me, without giving any reasons except that an investigation was going to take place, and in consequence of that I had to be suspended pending an investigation.

Q. Could you find a certified copy of that letter?—A. I do not know where it is now. If I can find it I will give it to you. The only thing it said was: "An investigation is going to take place, and pending that investigation you are suspended."

Q. You mentioned a few minutes ago that probably Mr. Kennedy had applied to Mr. Turner for men. Who was Mr. Turner?—A. I said that he may have applied. Mr. Turner is a contractor.

Q. Had he anything to do with the works last winter?—A. My impression was that Mr. Turner was conducting the work at St. Gabriel's locks; but now it seems from what is said here that he did not conduct the works, but merely supplied the men.

Q. Is that the same Mr. Turner who tendered for supplying labour?—A. Yes, he is the tenderer. He tendered for the masonry, I believe, or something of that sort—tendered for the delivery of stone.

Q. Did you say that he was conducting the works?—A. That was my impression, under the immediate charge of Mr. Kennedy. I am aware that Mr. Turner had something to do with it, but whether as a contractor or merely supplying the men, I do not know. I was under the impression that he was a contractor.

By Mr. Emard:

Q. Are you aware that the stone walls on both sides, from the Grand Trunk bridge upwards, for a distance of nearly 200 feet or more, were picked by the stone-cutters at your special orders?—A. Yes.

By Mr. Douglas:

Q. You think Mr. Schreiber did not give you any orders about the Grand Trunk bridge?—A. I am positive he never ordered me not to touch the Grand Trunk bridge.

Q. Did he say not to delay the traffic?—A. That is another question. If he had given me an order I should have obeyed him. If he did give an order, I did not understand it, because I never disobey orders.

By Mr. McLeod:

Q. What is this system of getting men to work on the Grand Trunk bridge? Suppose you wanted 20 men for a certain purpose, how would you get them?—A. While the work was under the direction of Mr. Papineau, he was supposed to ask for the men that he required. There was a certain number of men required at any rate. If there were too many, Mr. Papineau was supposed to say there were too many;

if there were not enough, to put on more. The foreman of the works is the man who would be judge of that. But there was never any objection to that. It was Mr. St. Louis's foreman, the man he always employed as foreman, that had control of the men—but always under the direction of the engineer.

Q. Do you know that Mr. Papineau actually did take that responsibility?—A. I understood afterwards that he said he did not have anything to do with it. But his letter of instructions is there, and there is some misunderstanding, evidently, because the fact of not being obliged to keep the time, did not relieve him from the conduct of the works.

Q. The result was that Mr. St. Louis employed the foremen, and got as many men as he pleased upon the works?—A. Not as he pleased, because Mr. Papineau had his eye on the work, and if there had been anything of that sort, I would have been told it.

Q. Do you know that Mr. Papineau did not do it?—A. I know it now. I did not say that I knew that he did not keep a watch, but he did not take charge of the works in the way we wanted him to do it, and he misunderstood my instructions evidently.

Q. What was the result?—A. The result was that the men who worked were put on by Mr. St. Louis's foremen.

Q. The person who had the contract to supply the labour?—A. No, it was Mr. St. Louis who supplied the labour. Mr. St. Louis's foreman who was in charge of the works there, Trudel, I believe it was, put on the men that he considered were required; and Mr. Papineau was to see that there were not too many men, and that they were doing their work properly. That was his instruction, but it appears he misunderstood those instructions.

Q. But was he in charge of the work as a matter of fact?—A. I am positive that he was in charge by his written instructions, but I now learn that he misunderstood those instructions, and did not take action. He took action to some extent, but he did not take all the action he might have taken, or that his instructions implied. He did not take all the action that was intended.

By Mr. Atwater:

Q. You have mentioned something about the Grand Trunk wanting to be compensated for interruption of traffic? Do you know whether they got anything?—A. I am not aware they received anything.

Q. Now, with regard to some of those other accounts against the government, do you know of any others that remain unpaid?—A. Yes.

Q. That the government are withholding payment?—A. Yes.

Q. Which are they?—A. I cannot tell you from memory. Henderson's is one for lumber, and I believe Alex. Wright is another. There is quite a lot of them. I believe Mr. Spragg.

Q. For stonecutting for lock No. 1?—A. Yes, and the delivery of stone by Mr. Delorimier, was another.

Q. The government are withholding payment of those until they find out whether they are due or not?—A. Yes.

By Mr. McLeod:

Q. Do you know the amount that is being held back?—A. I could not say from memory; I know there is a considerable sum.

By Mr. Atwater:

Q. Who certified the pay-lists of the men on the Grand Trunk bridge?—A. Mr. Kennedy or his timekeeper, and I certified them afterwards.
And further deponent saith not.

S. A. ABBOTT, *Stenographer.*

Mr. E. H. PARENT, already sworn, asked permission to make the following statement:

I have been told that Mr. Corbell made a statement before the commission yesterday to the effect that he had told me on five or six occasions that men were taking good timber and carting it away, or something of that sort. I deny that statement positively. So far as my recollection goes he never said anything to me about that, and I think if any one had mentioned it to me five or six times I would have remembered it.

Mr. ARCHIBALD.—He further said that you had told him that Mr. Kennedy could not control the men.

Mr. DOUGLAS.—No, that you had said that Mr. Kennedy was uncontrollable.

Mr. PARENT.—I do not remember having said it to Corbell, but I did not make a secret of my opinion. What I meant to say was that he was under my control by order of the department but he did not look at it in that light, and did not act according to the orders of the government. There is where he was uncontrollable so far as I was concerned.

By Mr. Archibald:

Q. In what respect did he act contrary to your orders?—A. On one occasion I wrote to him and asked him to give me a report every two or three days or a week, stating the number of men employed and all that kind of thing. He told me he had no time to scribble.

Commission adjourned till two o'clock.

S. A. ABBOTT, *Stenographer.*

E. H. PARENT, recalled.

By Mr. Emard:

Q. It has been established that Mr. Kennedy sent out invitations to tender for the labour.

Mr. ARCHIBALD.—I object to that question, because the invitations Mr. Kennedy sent out were invitations to tender for stonecutters and stonemasons. That is all.

Mr. EMARD.—The witness will very likely say so.

Mr. ARCHIBALD.—You are not to assume anything that is not justified.

Mr. EMARD.—Did Mr. Kennedy send out invitations to tender for labour?—A. I do not say for labour. He sent out invitations for tender. The form of these invitations is filed. I do not think it means labour, and in one of my letters, I say it is not probable we will need any labour. I said it is probable we will need only stonecutters and masons and some skilled labour.

Q. To whom did you say so?—A. In a letter I sent to Mr. Schreiber.

Q. When?—A. After the tenders were filed.

Q. After the invitations to tender were sent by Mr. Kennedy, were you seen by Mr. St. Louis?—A. I do not recollect. I am sure I saw him after his tender was accepted.

Q. After the invitations to tender were sent by Mr. Kennedy, it has been established here that you also sent invitations to tender to some other party?—A. Yes, there is a letter from Mr. Schreiber, which came and intervened. Mr. Schreiber would not have Mr. Kennedy send invitations to tender. So when the tenders came in, Mr. Kennedy sent them to this office. I saw there were only 3 or 4, which was not sufficient competition, and I put 3 or 4 more names whom I asked

to tender. They sent in their tenders and an abstract was sent to Ottawa and Mr. St. Louis's contract was accepted.

Q. And that was the first news you had that Mr. St. Louis was awarded the contract?—A. Yes, because he was the lowest tenderer.

Q. Did you notify Mr. Kennedy?—A. Yes, he was always notified of anything that took place.

Q. I think it is the letter of the 6th of February which says that?—A. Yes.

Q. By the letter of the 6th of February, Mr. Kennedy was advised that the contract had been awarded to Mr. St. Louis?—A. That is for the delivery of the stone.

Q. You wrote a letter to Mr. Kennedy advising him of the fact that Mr. St. Louis's tender for labour was accepted?—A. Yes; it should be such a letter.

Q. Here is a letter of the 17th of February which ends as follows: "I also inclose press copy of the chief engineer's letter accepting Mr. St. Louis's tender for the labour." That is very likely the letter you refer to?—A. Yes.

Q. In the beginning of the letter, it refers to a previous letter of the 6th instant: "With further reference to my letter of the 6th instant advising you that the tender of Mr. St. Louis for the delivery of stone and the renewal of masonry, I beg to supplement, &c." Mr. St. Louis provided the labour?—A. Yes.

Q. I suppose you are in a position to judge of the capacity of the foremen he supplied you?—A. Yes.

Q. What quality of foremen were they?—A. First class.

Q. I understand that Trudel was head foreman for one of the bridges?—A. Yes.

Q. What about his capacity?—A. I think he is a very able man.

Q. Do you remember the names of the other foremen?—A. I knew Lepage also, and Desjardins, the foremen of the stonecutters. On the Wellington bridge I knew them less, because I made it a point to be more on the Grand Trunk bridge.

Q. What about the quality of the men?—A. They seemed to be good stonecutters, but I am not a judge of stonecutting.

Q. Did you recommend any time-keepers?—A. Only one I recommended to Mr. St. Louis or Mr. Kennedy, I do not remember which.

Q. When you were on the works, did you give any instructions or make any recommendations about the mode of keeping time?—A. I went to Mr. Kennedy and told him to be careful that the time was properly kept and he gave me a description of how he had the time kept, and I heard that Villeneuve and Coughlin went and kept the time together, and there were assistants. I was under the impression always, and am still, that the time was properly kept, although it might have been kept better perhaps if there had been more time-keepers.

Q. It was not very easy to do that work?—A. No.

Q. There was a good many men employed?—A. Yes.

Q. And the class of men was such as to change often?—A. Of course, men were sent off and replaced by others.

Q. It has been said that some of the stonecutters were sometimes leaving one shed to go to another shed where such a stone was being cut for another bridge. Was it very easy to keep track of the changes?—A. Yes, but it was not done. It should have been done.

Q. I suppose the reason why the pay-lists were made separate for the Grand Trunk and Wellington bridge was to apply the appropriation and find out the cost of each work?—A. Yes.

Q. The same with regard to lock No. 1 stone?—A. In the same way. It is more specially for lock No. 1 which was a special appropriation. The time should have been kept separate, and I supposed was to be kept separate, because it was a special work and appropriation. The other works went on the same appropriation so it was not so important.

Q. Even with these instructions, I suppose the same care was not taken as if it were for two different parties altogether.—A. There was no appropriation separate for Wellington and the Grand Trunk bridge, but there was for lock No. 1.

Q. Even if instructions were given, they would not be precise and exact as if the works were done for different parties?—A. It was easy to make mistakes. Men would work a few hours at on one place and then at another.

Q. The men that were placed on the Grand Trunk bridge list were paid for all their time on that list, and if sent for some time at work on the stone of the Wellington street bridge, that would be charged to the Grand Trunk bridge?—A. Yes, at least as far as I know. The time-keepers may have made a distinction, but I am under the impression they did not take much pain in separating the two jobs.

Q. A number of stone cutters are on the pay-list of the Wellington bridge and another lot on the pay-list of the Grand Trunk bridge, but if some of the Grand Trunk men were transferred to work on the Wellington bridge that would not appear on the pay-list?—A. I would not be positive. The time-keepers would be in a better position to say so.

Q. You have signed all those pay-lists?—A. Yes.

Q. Did you sign them on the information that the checking had been done?—A. Yes.

Q. How was it done?—A. The pay-lists were first prepared by Mr. Kennedy's time-keeper and compared. Then, it came to the office here and was checked here for the time and see that there was no mistake in the figures. Then, it went back to Mr. Kennedy with a little marginal note of those names we deducted on the amounts. He certified the pay-lists with his time-keeper and it came back here, and the thing being regularly done, I signed it.

Q. The forms were all signed?—A. Yes, four copies were taken. One was sent to Mr. St. Louis, two to the government, and one remained here.

Q. Are you aware that Mr. St. Louis would not pay any man until this was done?—A. Yes.

By the Chairman:

Q. Was the same method followed on both bridges?—A. It was all one as far as I was concerned. Mr. Kennedy had to sign the whole thing, and to give me the whole thing signed by himself and the time-keepers, both for the Grand Trunk and the Wellington bridge. They were different sheets of course.

Q. Were you there all the time before the commencement of the works and during them?—A. Yes.

Q. You have seen how the works were carried out?—A. Yes.

Q. Mr. Kennedy has said, in trying to repudiate responsibility for the Grand Trunk bridge, that there were many more men on the Grand Trunk works than necessary?—A. I cannot say that I am aware of what Mr. Kennedy said exactly. Mr. Archibald denies that Mr. Kennedy has said this. What he said was that owing to the season of the year and the circumstances, men would not, perhaps, labour quite so hard as they would under other circumstances, and that it would take five men then to do the work which three men could do in the summer time.

Q. Is it to your knowledge that there were too many men on the Grand Trunk works?—A. I should say that there was a great number of men on both bridges, and I believe there was not more in proportion on the one than on the other; and in many circumstances, I called attention to the fact that there should be a considerable lookout not to have more men than was absolutely necessary to do the work; and I remarked at the same time that there were some men idling, actually at that moment doing nothing; some carters doing nothing, and the answer was given me that, of course, sometimes it would happen that men would have to be idle for some little time, and carters would be kept waiting for work, but that could not be helped under the circumstances, and it seemed to me after all that was pretty reasonable. Under the circumstances, you could not go on with the work and finish it on the 1st of May, if they had not plenty of men to do the work.

By Mr. Atwater:

Q. Who gave you that answer?—A. Mr. Kennedy. I made the same remark to Mr. St. Louis, who, although he had not any direct official authority

on the Grand Trunk, was kind of volunteering to give his experience and try to help along, and every time he came to the work, he would do his best to help it. He supplied the foremen and the men and knew them all and would do his best to try and push the men along. He appeared to be anxious to have the men do their duty. He was kind of volunteering to give the government the benefit of his experience as a contractor. To him also I said there was a great many men. I told the foreman on the Grand Trunk to be more careful not to have more men than absolutely necessary.

Q. You know all the temporary and false works made beside the permanent work?—A. Yes.

Q. You are aware of all the different circumstances and class of work?—A. Yes.

Q. What is your opinion as to the quantity of labour required for both the Wellington and Grand Trunk bridges respectively?—A. I must say that the Wellington bridge was in a far better condition to work than the Grand Trunk. They had their preparatory or false work all on hand, and well organized so as to allow an economical mode of building, whilst on the Grand Trunk they were certainly labouring under very difficult circumstances. They had no inclined plane as above, no platforms, except one, they had few derricks, and had not at all the room they had on the Curran bridge. Certainly, there was a great deal of difference between the facilities for working on the Curran bridge and on the Grand Trunk. Considering all that, although there was a good deal less masonry to do on the Grand Trunk, that was compensated by the cribwork which had to be torn down, and that was a heavy expense, so that I consider, taking it all in all, the two works were about equal as far as the value and expenditure go.

Q. Have you seen how the work of demolishing the cribwork was done?—A. Yes.

Q. Did they do the best they could under the circumstances?—A. Yes; I never noticed that what they did was not the right way to get at it. I think they could not do otherwise. There were sometimes though—I noticed in one case there were two men sawing a cross piece, and during that time there were three or four men doing nothing waiting for the piece to be sawn. It would not have been worth while perhaps to take those men further to another place to work. In another case, I saw the carters were doing nothing and were waiting. I made the remark, and they said they had to wait until those in front would leave and then the teams behind would take their place. Sometimes we would have no carts at all, and sometimes more than we wanted. All those reasons appeared kind of satisfactory.

Q. You saw carters stopped sometimes and thought they were idle?—A. Yes, and the explanation given me was that they were waiting for room, because there was no room. They could not work more than two carters at a time in the place.

Q. The derricks provided for the Wellington bridge were of a better class, and there were more of them?—A. Yes.

Mr. DOUGLAS.—The government paid a good price for derricks on the Grand Trunk, 50 cents an hour, hired by Mr. St. Louis. If they were not good they ought to have been.

Mr. St. Louis.—My lawyer did not put the question right. On the Wellington bridge, there were 8 or 9 steam derricks, and on the Grand Trunk bridge, there was only room to put 2 steam derricks, one on each side.

By Mr. Emard:

Q. Were they better provided with steam derricks?—A. Yes. They were short of space on the Grand Trunk bridge and had no room for more than two.

Q. And they had plenty steam derricks at the Wellington bridge?—A. Yes, 10 or 11, but not all steam derricks. They had 16 derricks there and hand derricks besides.

Q. They had a roadway also going down to the bottom of the canal?—A. Yes, there was an inclined plane there.

Q. Could they have done that with the Grand Trunk bridge?—A. No. Still everything is possible, but then, it would have been too expensive and there was no room.

Q. Was not the ice in the way?—A. You can always remove the ice. It was too late. By the time the inclined plane and platform, etc, were made it was all right.

Q. Were they not bothered with ice in the Grand Trunk?—A. Yes; the water was running down in the Grand Trunk, and then the ice would form gradually, and all went down on the dam on their work. The ice from above, when the thaw came on, some of that ice broke off and came down.

Q. And that ice had to be picked and carried away?—A. Yes; and they had not much facilities to take away a big block of ice under the bath.

Q. The work on the Wellington bridge commenced earlier?—A. Yes.

Q. And that was a great advantage?—A. Yes.

Q. The construction of the Grand Trunk bridge was only decided later and appropriations were not made?—A. No.

Q. So that taking everything into consideration, the circumstances under which the Grand Trunk bridge was built were much less favourable than in the case of the Wellington bridge?—A. Undoubtedly.

And further deponent saith not.

The commissioners then adjourned.

LACHINE CANAL INQUIRY.

MONTREAL, 16th August, 1893.

The commission met at 10 o'clock, a. m.

Present :

Messrs. McLeod and Douglas.

E. H. PARENT, recalled, and deposed as follows:

By Mr. Atwater :

Q. I understood you to say that you recommended the contract for labour?—A.

Yes.

Q. You might state again your reasons for recommending the employment of labour by means of a contract?—A. They are given in two letters that are before the commission.

Q. Will you please repeat them?—A. The ground that I took was the risk of strikes, and the probability that there would be a good many other works going on during the winter, and that it would be safer for the government to bind a contractor under penalty, to oblige him to furnish the labour required for the work. Another reason was that a contractor is far better posted to supply men, and the proper kind of men, since he always has on hand a number of men that he knows, more especially foremen. For these reasons I thought it would be safer to give a contract for the supply of labour. Moreover I thought it was better, as a rule, if we could find a very good contractor, to employ the labour that way.

Q. You mean to let out the work?—A. Yes; it would have been a better mode in the meantime. The government generally take the lowest bidder, although they are not obliged to do so, and if the contract had fallen into the hands of a weak contractor, it is most likely the work would not have been finished for the opening of navigation.

Q. It would have been a risky thing to let out the work by contract in the period in which it had to be done?—A. Yes.

Q. Do you know that a contractor was more likely to get good men around him than a government would be?—A. I think so, he knows them better.

Q. And the men, as some witnesses have stated, prefer to work for a contractor to working for the government, because they are more likely to get steady employment?—A. Yes.

Q. Will you look at this letter of the 10th January and say if that is the letter you wrote to the department?—A. Yes. It reads as follows:

"January 10th, 1893,
"Lachine Canal.

"DEAR SIR,—I beg to submit to your consideration an abstract of tenders sent in by contractors for the supply of labour required for the construction of the masonry pier of the new Wellington bridge, etc. Although the tenders show eight items, it is most likely that only stone-cutters and masons will be called for, as it is the intention to furnish our own labourers, derricks and teams. This mode of securing skilful labour by contractors, for work which has to be done within a limited time, is considered the safest and avoids the risk of strikes at a critical moment, as these men are almost constantly employed by the contractors and are paid weekly by them, and can be better controlled by those who employ them the year round. As will be seen by the within abstract, Mr. Emmanuel St. Louis is the lowest tenderer, and is a reliable and responsible contractor; and I would therefore recommend the acceptance of his offer.

"E. H. PARENT."

Q. That is your letter to the department recommending the acceptance of his tender?—A. There is another letter that makes further allusion to the same subject but only in a few words.

Q. Later on, or before?—A. I think before, or perhaps afterwards; but it is only a few words.

Q. At all events it was your opinion, which you conveyed to the department, that it was a wise thing to provide for the labour by contract with a responsible contractor?—A. Yes, it was at the time.

Q. You have mentioned in this letter something about the way men are paid by a contractor. Do you think they are more frequently paid by a contractor than they would have been by the government?—A. Yes, they are generally paid, sometimes weekly, sometimes fortnightly by contractors; but by the government only once a month.

Q. So that the government by employing labour by contract did not have to pay the contractor as often as he paid his men?—A. No, the contractor was paid only once a month—at least that is my impression.

Q. Do you know whether it is a system adopted by the department to contract as much as possible for anything they have to do?—A. Yes, it is customary.

Q. Have you given contracts before in connection with the canal for labour and so on?—A. Yes, I understand that at St. Gabriel, and for accidents generally that have happened on the Lachine canal, they have contracted for the supply of labour.

Q. Not only with Mr. St. Louis, but with other contractors?—A. Yes.

Q. That is to say in case of accidents or emergencies when it is necessary to do a particular piece of work in great haste?—A. Yes.

Q. That was the case when the bridges were built?—A. It was.

Q. They were practically on the same footing as accidents; it was something that had to be repaired in great haste on the canal?—A. Well, it was on the same nature as to the limited time within which it had to be done.

Q. So that the same reasons that would apply to a contract for labour in case of a repair to a bridge or anything of that sort, would apply to the construction of these bridges?—A. Yes.

Q. Were they responsible parties to whom the invitations were sent to tender for labour?—A. Well, I understood them to be all responsible men. I did not know them personally.

Q. But they were people of good reputation?—A. Yes.

Q. And competent to supply labour?—A. Competent to supply labour.

Q. Of course it would not have been advantageous to send invitations to tender to men who were not responsible, or not able to supply the labour?—A. Of course not.

Q. Turner & Co., for instance—Turner is a well known contractor for labour?—A. Yes. I do not know Mr. Turner much, personally, but I understand he is a responsible contractor.

Q. He has had contracts from the department for similar works, has he not?—A. Yes.

Q. His prices were above those of Mr. St. Louis?—A. Yes, they were above. Mr. St. Louis was the lowest tenderer.

Q. And the reason you recommended the acceptance of his tender was because he was the lowest?—A. Yes.

Q. You know of no other influence that was brought to bear to secure to him the acceptance of his tender?—A. No, sir. Well, in fact, I recommended the acceptance.

Q. Simply because his tender was the lowest?—A. Because it was the lowest.

Q. There was no other motive?—A. No other motive.

Q. When was Mr. Kennedy first made aware of the labour being supplied by contract, so far as you can remember? Of course we have your letter of the 17th February?—A. I think, perhaps, I told him verbally.

Q. Can you tell us positively of any verbal communication with Mr. Kennedy that the contract for labour had been given?—A. As soon as I was made aware of the fact, the first time I met Mr. Kennedy I told him. But when I cannot say.

Q. Was it not a short time after your recommendation to the department to award the labour by contract?—A. Yes, it must have been not more than a few days after.

Q. I want to know whether Mr. Kennedy complained to you at the time, or made any objection to employing labour by contract?—A. Well, if I remember correctly, there was a little discussion about it, some little remarks. I believe there was, but I am not sure.

Q. Because he has condemned the system here, I want to know whether he put himself on record about it in any way?—A. I could not say positively what he told me. I was under the impression that he was against the system.

Q. Was that before or after the contract had been awarded?—A. It must have been afterwards, because I did not speak to him about that before.

Q. Mr. Kennedy stated here that the result of this contract was, if I understood him rightly, that five men were employed where three would have been sufficient. What is your idea of that?—A. Well, that may be correct in this way, that they were crowded to some extent.

Q. What I mean is this: Was the fact that the labour was employed by contract, responsible for crowding?—A. Oh, no, because if it had been done by the government directly, it would have been the same thing, or very nearly, there would have been a crowd of men there to do the work and finish it in time.

Q. Did you here Mr. Weir's evidence given here on Saturday with regard to the nature of this work, that he would expect to have a large percentage of surplus men who were not actually employed, but whom he would have to pay?—A. I did not hear that.

Q. Well, the fact that the work had to be done in such a short period and under such circumstances, would necessitate the retention on the works of a good many more men than could actually be employed at any particular moment, would it not?—A. Yes, that is my opinion.

Q. You stated yesterday, I think, in answer to Mr. Emard, that you considered the work that was actually done on the Grand Trunk bridge, was very nearly equal to that done on the Wellington bridge?—A. Yes, that is my impression, I should say not including the false work. It was comparing merely the masonry and piers and pulling down the cribwork.

Q. There was a good deal more cribwork to be removed on the Grand Trunk end than on the Wellington bridge end?—A. Fully twice as much at least.

Q. Now, as an engineer, can you tell us whether the masonry would be any more expensive on the Grand Trunk bridge for a railway bridge, than it needed to be on the Wellington bridge as a traffic bridge?—A. Yes, the masonry should be more solid.

Q. Would it cost more?—A. It would cost a little more.

Q. About what percentage more, should you say?—A. I suppose from guess work, it might cost 5 per cent more.

Q. Was the masonry of those bridges well done?—A. Yes, very good masonry.

By Mr. Archibald:

Q. I do not think Mr. Parent's letters to Mr. Desbarats are filed?—A. I sent no letter to Mr. Desbarats. On what occasion do you refer to?

Q. I see several letters here to Mr. Desbarats. I see on page 823 of the letter book, a letter from Mr. Parent to Mr. Desbarats.

By Mr. McLeod:

Q. Then you did send letters?—A. I sent one when Mr. Kennedy sent his complaint; I referred that to Mr. Desbarats.

By Mr. Archibald:

Q. This is the letter to Mr. Desbarats, which I find on page 823 of the letter book:—

"SIR,—I beg to transmit to you herewith for your information copies of three letters received from the chief engineer of canals in connection with rebuilding the masonry of the piers and abutments for the Wellington street and railway bridges over the Lachine canal. Pursuant to the request therein contained, you will please prepare with the least possible delay the plans of the masonry referred to. I also inclose a copy of specifications for the stone required for the renewal of the masonry of old lock No. 1, as sent in by the superintendent."

Q. This letter is dated 21st January, 1893?—A. That is my letter transmitting these letters I referred to.

Q. You inclosed to Mr. Desbarats a copy of the specifications of these stones for lock No. 1, because you had given him charge of that lock?—A. Yes.

Q. Then on page 893 of the letter book I see another letter, dated February 3rd, 1893. It is in French, the translation of which is as follows:—

"I have the honour to inform you that the tender of Mr. Emanuel St. Louis for the delivery of stone required for the construction of the abutments of the Grand Trunk bridge and the Wellington street bridge, and the renewal of the old masonry of lock No. 1 has been accepted: namely, base stone, \$6.35 per cubic yard; backing, \$2.50. Mr. St. Louis has been requested to put himself in communication with you so far as concerns the delivery of the stone and the execution of the contract which has been awarded to him."

Q. That is a letter from Mr. Parent to Mr. Desbarats?—A. When I said there were no letters written from me to Mr. Desbarats, I thought you referred to his appointment.

Q. Now, there is still another letter of the 16th February, 1893, as follows:—

"MY DEAR SIR,—As you know, the chief engineer, in a letter dated the 6th instant, has expressed the opinion that the overseeing and conduct of the works on the Wellington bridge so far as regards the technical part, ought to be done by the office here, without extra cost. In spite of my objections and the reasons given showing the importance of retaining your services at least until the work is completed, it has been decided that the work which has devolved on you up to the present time must be done directly by the personnel of my staff. Therefore, I regret to inform you that at the end of the present month your services as resident engineer will be no longer required."

That is your letter.

MR. ATWATER.—Mr. Parent recommended the retention of Mr. Desbarats, that is well understood, but I think it was only to save expenses.

By Mr. Archibald:

Q. Will you explain how Mr. Villeneuve happened to become timekeeper on the Grand Trunk?—A. Mr. Villeneuve expressed a desire to be on; I heard him say so; he spoke to me about it, on what occasion I could not exactly tell. I recommended him, and he was appointed by Mr. St. Louis.

Q. Why did you not employ him yourself?—A. Because if we had employed him ourselves, he could not have had any salary.

Q. He was already a salaried officer in your department?—A. Yes, and an officer that has a salary from the government cannot draw two salaries.

By Mr. Emard:

Q. At that season of the year he had nothing to do as an employee of the government?—A. No, he had nothing to do.

By Mr. Archibald:

Q. But he was drawing a salary?—A. He was drawing a salary, yes.

Q. He was known to Mr. Kennedy as an employee of the government on the canal?—A. Yes.

By Mr. Atwater :

Q. Was Mr. Villeneuve paid by the government?—A. He was a permanent employee of the government.

By Mr. Emard :

Q. He had only to work in the summer time, and that is the reason he had nothing to do?—A. If he had been employed by the government he would have had no salary.

By Mr. Archibald :

Q. Do you consider Mr. Villeneuve a competent and reliable official for the purpose of the time-keeping on that job?—A. Undoubtedly a very able fellow.

Q. Were you aware of the employment of other time-keepers beside Mr. Villeneuve?—A. Yes, I knew Mr. Coughlin was a time-keeper. I did not know Mr. Beaudry nor Mr. Ouimet. The only one I knew was Mr. Coughlin, and I know that he had assistants.

Q. But you knew Villeneuve, and you knew he had assistants?—A. Yes.

Q. You wrote a letter to Mr. Kennedy telling him that it would be his duty to sign the pay-list to the Grand Trunk bridge as well as to the Wellington street bridge?—A. Yes.

Q. What was your object in doing that?—A. My object in telling him to sign the pay-list was to make sure that the time would be properly kept.

Q. You did not distrust that the time was being properly kept, did you?—A. Oh, no, it was a regular thing that the whole pay-list should be signed by the superintendent of the canal, and those under his control. The whole time-keeping would be under his control.

Q. You did not expect Mr. Kennedy to go and appoint new time-keepers in the place of those who had been previously appointed?—A. No; that was not my intention. If he had not been satisfied with them, he would have discharged them.

Q. You took a personal interest in getting Villeneuve appointed time-keeper?—A. Yes.

Q. It was not because you felt that the time-keeping was not being well done that you wrote to Mr. Kennedy with a view to having him take charge of it?—A. No; it was to put him in a position of being personally responsible for the time-keeping.

Q. It was his duty as superintendent of the canal to sign the pay-list?—A. Yes.

Q. And you expected him to do that the same as he did for the time-keepers under his own charge on the Wellington bridge?—A. Well, in fact I considered all the time-keepers were under his control, and he might have discharged the whole of them if he chose. I had some verbal conversation with Mr. Kennedy in which I told him although we did not expect him to look closely after the execution of the work, he must not lose sight of the time-keeping for those works. I asked him if he kept a good lookout over the time-keeping, and he answered me: "You do not suppose I would sign the pay-list if I did not keep the time." So I felt satisfied that it was all right.

Q. About the time when the work commenced on the Grand Trunk bridge?—A. About that time.

Q. You stated yesterday that Mr. St. Louis, although he was not obliged to do so, kindly gave the benefit of his experience as a contractor to the government on the Grand Trunk bridge?—A. I stated that Mr. St. Louis, although he had nothing to do as a contractor on the works, offered—well, he did not offer, but he suggested it saying: "I am going to help you all I can in that matter," and he did.

Q. Is that the reason that in your letter of the 17th March you wrote as follows: "In connection with the above I wish to draw your attention to the fact that apart from the derricks which the contractor will erect, if we have not enough on hand for him, we must supply him with the necessary plant, tools and appliances to

enable him to carry on his work, such as lamps, chains, oils, shovels, picks, booms and derricks?"—A. That is the reason, because Mr. St. Louis was in that generous way taking a sort of oversight over that work, I called him a contractor because he is a contractor.

Q. What did you mean by the expression: "furnishing the contractor with the tools to enable him to carry on his work, such as lamps, chains, oils, shovels, picks, booms and derricks?" Did you as a matter of fact suppose that all these materials were necessary to enable Mr. St. Louis to get men? Was he to pull them up out of some hole with his derricks?

Mr. EMARD.—At any rate, Mr. St. Louis was a party to that letter. He cannot have changed his position. It has been very well defined here. Mr. Parent says he termed him a contractor because he was a contractor and he was helping them all he could.

Mr. ARCHIBALD.—But don't you think it was a little hard to hold him responsible for these tools when he was not in any legal possession? You say, "Mr. St. Louis will be held responsible for all such plant." That simply disclosed your ideas of the subject?—A. Yes, but it was not worded properly.

Q. Have you any reason for thinking that Mr. Kennedy's ideas on that subject were the same as your own?—A. I do not know what he thought about it. I do not know whether I spoke specially to Mr. Kennedy about it, but I said on many occasions that the man who supplied the tools and the labour could not be the contractor for the same work and exercise the whole control.

Q. You do not know whether you spoke to Mr. Kennedy about that or not?—A. I could not say, but I spoke to others. I spoke to Mr. Papineau about it.

Q. But what you said in that letter is something that any stranger who happened to be on that work would have expressed, knowing of Mr. St. Louis's contract?—A. No answer.

Mr. ATWATER.—I do not think it is fair to Mr. Parent to take up his letter and read only a little piece of it. Take the whole letter and consider it as a whole. Mr. Parent in his letter goes on in this way: "and as in the case of the staff under my direction"—under Mr. Parent's direction—"over and above the force supplied by him"—Mr. Parent distinctly says the force supplied by Mr. St. Louis (reads the whole letter). I think it is fair to Mr. Parent to show that he speaks as to his whole letter.

Mr. ARCHIBALD.—I do not intend to make any imputation against anybody. I acknowledge freely that Mr. Parent instructed Mr. Kennedy that he had to control the time of the men. He had to see that the time was correct.

Mr. McLEOD.—And apply for the men. These were his written instructions. Mr. ARCHIBALD.—So far as that is concerned, Mr. Parent has just stated that Mr. Kennedy was not exercising control over the men in their work; therefore you see that so far as application for the men was concerned, Mr. Kennedy actually could not know what men were necessary on a job which he was not controlling, which Mr. Parent knew.

Mr. McLEOD.—Why did he not control it?

Mr. ARCHIBALD.—Why should he control it? That is the question.

Mr. EMARD.—Because he was in the employ of the government, he ought to have done it.

Mr. PARENT.—The only reason he gave was that he had too much to do.

Mr. ARCHIBALD.—He could have controlled it undoubtedly, if he had been appointed to control it. We must remember the position in which Mr. Kennedy stood. He went to Ottawa and Mr. Trudeau told him what his position was. He told him: you have got no business with that bridge, it is not your duty; and he told him as a matter of fact, and he told Mr. Curran and he told Mr. Ogilvie that it was no part of his duty to do that work. It is in proof that Mr. Trudeau wanted to appoint an outside man altogether. At any rate, what is clear is this, that they told Mr. Kennedy: you have have nothing to do with that job as superintendent of the canal. They appointed him to the Wellington street bridge specially by letter, but they never appointed him to the Grand Trunk bridge, and never asked him for in-

formation concerning it. They organized the work on the Grand Trunk bridge without consulting him in any way, without ever telling him he had any responsibility whatever upon the Grand Trunk bridge. He was told that he must sign the pay-list, and he took such means as he thought were necessary to do that; and if he did not do it right, then he has got to suffer. But surely he must not suffer for not doing work that he never for one moment supposed he had to do.

Mr. McLEOD.—Did he make any reply to that letter of Mr. Parent's?

Mr. ARCHIBALD.—He made this reply, that he sent Coughlin and Glenny to count the men at night and in the day time so as to certify their pay-list. That is the practical reply he made. He obeyed that letter in its terms by controlling the time.

Mr. McLEOD.—Did he send Coughlin to get men, and see what men were wanted?

Mr. ARCHIBALD.—No, he sent him simply to count them. He obeyed the letter by giving out materials wherever they were wanted.

Mr. McLEOD.—He only obeyed them in part.

Mr. ARCHIBALD.—He obeyed it as he understood it.

Mr. ATWATER.—As far as the department is concerned, they got the returns in, certified by responsible officials here.

Mr. ARCHIBALD.—If, as Mr. Trudeau says: "You have no business upon the work as superintendent," he had a right to accept or to refuse. As far as that is concerned, the evidence is very clear, that, as a matter of fact, whether he was right or wrong he did not do anything at all towards overseeing the practical work on the Grand Trunk bridge.

Q. Now this letter that you have been asked so much about, you sent it to him in the shape it appears there?—A. Yes.

Q. When the discussion took place in Ottawa as to the rate to be paid for labour, Mr. Schreiber asked you as to the price of labour in Montreal?—A. Yes.

Q. And it was upon your reply stating that \$1.50 was a fair price for labour—you might look at the telegram of the 13th March. This is your telegram, is it not? "To Collingwood Schreiber, deputy minister and chief engineer of railways and canals: Considering the risks of the contractor for strikes and the average for wages all through, I would not consider \$1.50 too high for choice men as those he supplies are supposed to be." Do you know whether, as a matter of fact, good men were supplied under this contract?—A. Well, they were not all good; but when they were not good they were sent away.

Q. The result would be that the bad ones were weeded out and the good ones were retained?—A. Yes, generally.

Q. Then it was upon your advice and the telegram you have just seen, that the compromise with Mr. St. Louis was come to?—A. I suppose so.

Q. So the department did not act without consulting you in the matter?—A. No.

By Mr. Archibald:

Q. Were the pay-lists afterwards signed according to the classification arrived at, as you understood it in Ottawa? Was your action in signing the pay-lists subsequent to what you supposed was the agreement or compromise entered into between Mr. St. Louis and the department at Ottawa?—A. You mean if, in my opinion, the pay-lists were made out in accordance with the compromise?—A. Yes, I suppose so.

Q. You understood the compromise to be that pick and shovel men were to be at \$1.50, and the others were to be put down as skilled labourers?—A. Yes.

Q. How did that difficulty about the classification arise?—A. I did not see any difficulty. I do not know of any difficulty that arose at all.

Q. Mr. St. Louis claimed one thing and the department claimed another. Do you remember how the difficulty cropped up?

Mr. EMARD.—Ask him if he is not aware that Mr. St. Louis claimed that all the labourers he was furnishing were skilled labourers, and Mr. Schreiber would not agree to that interpretation of the contract.

By Mr. Archibald :

Q. Mr. St. Louis claimed that all the labour was to be skilled labour?—A. I am aware that is what Mr. St. Louis claimed.

Q. Who first objected to that course?—A. I think it was myself. I know I was averse to that, because it was not fair to call all the labourers pick and shovel men. I took no action, but it was taken in Ottawa.

Q. Do you know what position Mr. Kennedy took upon that?—A. He objected also. More than that, I remember Mr. Kennedy, when I was in his office—and there is where we had a little difficulty together—he had put down his men at \$1.25. I told him that that would not do, I said: Mr. St. Louis has a contract, and outside the men you employ on your staff, you are obliged to give those men the prices that Mr. St. Louis has in his contract. He said that he did not like to change his pay-list. Well, I said, you will have to do it, you cannot help it.

Q. He had them down at \$1.25?—A. Yes.

By Mr. McLeod :

Q. To what did he change them then?—A. To \$1.50.

By Mr. Archibald :

Q. Why did he want to put those men down to \$1.25?—A. He said he could get them for that.

Q. Did he claim they were not provided for at all by Mr. St. Louis's contract, that that only provided for skilled labour?—A. Well, he may have said that, I do not recollect. Very likely he said something like that.

By Mr. Douglas :

Q. According to Mr. Kennedy's theory, he had nothing to do with the contract for prices, he had merely to obey your orders, had he not?—A. Yes.

Mr. EMARD.—But he claimed that he had.

Mr. ARCHIBALD.—He claimed that these men were not under Mr. St. Louis's contract, that they were not skilled labour.

By Mr. Emard :

Q. Is it not a fact that after having discussed the matter with Mr. St. Louis himself, you came to the other conclusion, and you reported to Ottawa that you thought that Mr. St. Louis was right in his interpretation with regard to skilled labourers?—A. No, I could not have said that all the men on the works, working with pick and shovel, could be classified as skilled labour.

Q. Did you not report to Mr. Schreiber that you thought his pretension was correct that all were skilled labourers, each in his special branch of work?—A. The report is there. I am surprised to hear you say that.

By Mr. Atwater :

Q. If this contention of Mr. Louis were correct, the result of the compromise ought to have been a saving of 35 cents on each man, each good labourer?—A. Yes.

By Mr. Emard :

Q. At any rate that is the way it was settled; the price allowed to the pick and shovel men of \$1.50, was allowed after this question had been raised, and the matter had been discussed with Mr. Schreiber?—A. Yes.

Q. So there was a deduction in Mr. St. Louis's contract, was there not?—A. In my first letter I said that likely we would not require labourers.

Q. But you did require them?—A. Yes.

Q. Were not skilled labourers tendered for by other tenderers?—A. Yes. It is only a question of what skilled labour is.

By Mr. Atwater:

Q. You got a telegram from Mr. Schreiber the morning after you . . . his letter?—A. I got them, I think, the same day.

Q. I think in the telegram Mr. Schreiber says he wrote you a letter in explanation?—A. It reads that way, in explanation of my letter, skilled labour, \$1.85; good labour, \$1.50.

Q. You got the telegram about the same time you received the letter?—A. Yes.

Q. And the only difference between the telegram and the letter was that the telegram did not contain the words, "pick and shovel men" whereas the letter did?—A. Yes. It is easy to find out when the letter was received, and the date of the telegram also.

Q. But as a matter of memory, did you receive the telegram about the same time as you received the letter?—A. About the same time; whether the day before or the day after, I am not positive.

Q. To come back to the original intentions. The first intention was that the government should build the substructure of the Wellington bridge only, and the Grand Trunk people were to build their own, was it not?—A. Yes.

Q. That was the intention at first, that Mr. Kennedy was to be put in charge of the Wellington bridge?—A. Yes.

Q. Then do you know whether any special instructions were given to Mr. Kennedy about what control he should have on the Grand Trunk bridge when it was decided that the government should build that bridge?—A. It is contained in my letter that you have just read.

Q. But you gave him the control of the Grand Trunk bridge as well as the Wellington bridge? The whole thing. But he told me that he was very busy. At any rate, I said, you can exercise a certain amount of control, and for the balance we will do the best we can. Mr. Papineau was there, and I was there, and Mr. St. Louis was doing his best to help us along.

And further deponent saith not.

S. A. ABBOTT, *Stenographer.*

The commission then adjourned.

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EDWARD KENNEDY, on being duly sworn, deposed as follows:—

By Mr. Vanier:

Q. Did you ever ask to be specially appointed overseer on these works?—A. Never.

Q. Did you ever approach anybody to that effect?—A. Never.

Q. Did you go to Ottawa to speak to Mr. Trudeau about it?—A. I did.

Q. Did you ask him to appoint you?—A. No, sir.

Q. Did he offer to appoint you?—A. He did.

Q. Do you know if anybody recommended you over there?—A. No, sir.

Q. You never heard about it, either?—A. I did.

Q. What did you hear?—A. Mr. Trudeau sent Mr. Mothersill, one of the officials in Ottawa, to ask me if I would accept the appointment of overseer for the construction of the new bridge.

Q. Did you not expect that as superintendent of the canal?—A. No, I did not; it was totally outside my official duties as superintendent.

Q. You considered that as a kind of extra work for you?—A. Yes.

Q. What was your past experience as an overseer of works of construction, of bridge works and things of that kind?—A. All the experience I had in that kind of work was with Mr. Beemer.

Q. For how long?—A. I think for about two years or two years and a half from 1883 to 1885, inclusive.

Q. In what year were you appointed to the position you occupied on the canal?—A. In November, 1891.

Q. What did you do between 1885 and 1891?—A. I was in the grocery business for about three years, but during that three years I only actively looked after the business for the first year. Then I went in with my father.

Q. Those two years that you were with Mr. Beemer were the only experience in the constructions of works that you ever had in your life?—A. No; I had considerable experience before 1885, and since.

Q. In what works?—A. In the enlargement of the Lachine canal, principally. I was with my father, and we had teams working for contractors on the Lachine canal.

Q. In what year?—A. I do not remember exactly, I think in 1875 or 1876.

Q. How old are you?—A. Thirty-six.

Q. Did Mr. Trudeau give you any reasons for making this special appointment?—A. He did.

Q. What were his reasons?—A. First of all, he told me that he liked my style and manner of working; from his experience of me he thought I had the ability of running such a work. Then, as being superintendent of the canal, in order to have it completed by the 1st of May, as he wished, I probably would have a greater object in completing the work in that time than any other person.

Q. Did he give you any other reasons? Did he speak to you about the usual delay there would be in giving contracts and asking for tenders, and things of that kind?—A. I think he did, I am not quite sure.

Q. In your opinion, did you think, under the circumstances, that it was possible to ask for tenders and wait for the usual delays?—A. At the time I had the interview with Mr. Trudeau I thought it would be impossible to call for tenders and have the work given out by contract and completed at the time; the time was too short.

Q. Do you know of any other contractor who would have undertaken to do that work in the specified time?—A. I think there are contractors in Canada that would undertake anything for money.

Q. Could they finish it?—A. I do not know.

Q. Have you had occasion to do any work on the canal during the last two weeks of April, 1892? You know that in the last two weeks of April there are always some general repairs going on, and sometimes the construction of revetment walls, as at Côte St. Paul. Had you any occasion to supervise such works in April, 1892?—A. Lock No. 1 at Côte St. Paul?

Q. Yes.—A. Which one do you mean?

Q. The wall that was built by Mr. Beemer at Côte St. Paul?—A. That was not done in 1892; that was done before I went there.

Q. You did not have any special work of that kind to supervise while you were on the canal?—A. I was working with my father, and we supplied all the teams, and supplied all the stone for DeLorimier. That was under Mr. Conway's regime.

Q. Since your appointment on the canal, and outside of those two bridges on Wellington street, you have had no special experience in hurried works on the Lachine canal?—A. Previous to building the Wellington street bridge?

Q. Yes.—A. Yes; I had.

Q. What was it?—A. I think one of the most hurried works that was ever done on the Lachine canal, was done previous to the construction of the Wellington bridge. I think it was in the month of February, 1892, that we noticed that the centre rest pier—that the stationary bridges are resting on above St. Gabriel's waste weir—was canted; the bridge was in danger of falling down. We braced up those bridges, and in the spring time we had the rest pier taken down and rebuilt.

Q. You were successful there?—A. Yes.

Q. Have you a statement to make about the construction of those two bridges on Wellington street?—A. I have no statement.

Q. You might tell us about the early history of the whole thing?—A. I would rather you asked me questions about the history.

Q. At what time did Mr. Desbarats arrive on the works?—A. I think Mr. Desbarats came to Montreal in connection with the Wellington bridge works about the month of September.

Q. Did you ever see him on the spot, before September, taking measurements or doing things of that kind?—A. No.

Q. Did he come in September with any sketches or plans?—A. I never saw a plan.

Q. Were there not copies of plans given to you during the construction of these bridges?—A. No.

Q. Was the work laid out; staked out by any engineer; the alignments and levels given?—A. The first stakes that were put on the works were put there by myself.

Q. Under whose direction?—A. My own.

Q. Do you mean that you had complete and exclusive charge of everything?—A. No; I did not.

Q. Were there any stakes put in afterwards by somebody else?—A. There were.

Q. By whom?—A. Mr. Papineau.

Q. Did Mr. Desbarats do anything in that line?—A. Not that I saw.

Q. Did Mr. Desbarats remain long there in September?—A. He did.

Q. What time did he leave?—A. I think he left about the first of February.

Q. To be replaced by whom?—A. I do not know who he was replaced by; but I found out afterwards that Mr. Papineau came and took charge.

Q. Did Mr. Desbarats seem to know anything about the work to be done?—A. No.

Q. He did not seem to know anything?—A. No, sir.

Q. Could you explain that?—A. In what way?

Q. How did you find out? Did you meet him very often?—A. I did.

Q. Did he speak to you about these works?—A. He did.

Q. How did you find out that he did not know anything about it?—A. I do not know what you mean.

Q. You say that he did not know anything about it. How did you find that out?—A. If he did know anything about it, I would know; but if he did not, I could not tell.

Q. Did he say anything to you that would show you he did not know anything about it?—A. The only thing that I saw which showed that Mr. Desbarats knew anything about the work was his lead pencil tracings in his office—plans. I am not an engineer and I do not know whether you would say plans or tracings.

Q. What were these tracings?—A. Sketches of the location of the new and old bridges.

Q. Were they in any way similar to exhibit C 11, or did they resemble C 53?—A. No, sir, I never saw anything like those.

Q. Were the sketches made on paper?—A. Yes, sir, the lead pencil tracings were on paper.

Q. Representing the position of the old bridges and the location of the new one?—A. Yes.

Q. Did you understand he was the engineer in charge sent by the department in Ottawa?—A. Yes.

Q. Did you understand he was going to replace Mr. Parent, or help him?—A. Help him.

Q. Do you know as a matter of fact if the sketches or tracings, as you call them, were brought from Ottawa?—A. I do not know.

Q. Do you know if Mr. Desbarats prepared them himself?—A. I think he did.

Q. You knew that Mr. Desbarats did not belong to the Montreal office?—A. I did not.

Q. Had you seen him before September in any capacity?—A. I never met him before, but I am not quite sure.

Q. When were you appointed by the department in Ottawa to be overseer of these works?—A. I think it was at the time I had that interview with Mr. Trudeau. It was not made definite then, but it went on as if it was understood I was to be overseer. I think it was about the middle of October, I am not quite sure.

Q. Did you go up to Ottawa alone?—A. No.

Q. Who were with you?—A. Mr. Parent and Mr. Desbarats.

Q. Did you ever go to Ottawa with Mr. Curran?—A. I did.

Q. On that occasion?—A. No, I did not. I met him in Ottawa.

Q. Did he help you to get that appointment?—A. No.

Q. Did you have any letter appointing you?—A. No.

Q. Anything in writing?—A. Nothing in writing except from Mr. Parent.

Q. Never had any telegrams to that effect?—A. From the department, never.

Q. Or anybody in Ottawa?—A. Never.

Q. What was that letter Mr. Parent wrote you, dated November 28th, 1892. (Reads the letter.) From the moment you got that letter you began to organize the preliminary work?—A. I did.

Q. Who were your assistants in helping you at the time?—A. What do you mean, foremen?

Q. Assistant foreman or foremen?—A. The only men who were immediate assistants then, were those who were on the permanent staff.

Q. In Mr. Ogilvie's statement filed this morning, he says: "The first intimation I received that there was trouble on the works, was in March last when I met Mr. Patrick Kennedy in St. Patrick's street, when he told me that Edward Kennedy, the superintendent, had received instructions from Mr. Parent to put the men on St. Louis's pay-list at a higher rate than they were receiving." Did you ever mention that to your father?—A. I did.

Q. Would you explain what the trouble was? Were you really asked by Mr. Parent to put men on Mr. St. Louis's pay-list at a higher rate of wages than they were entitled to?—A. Yes, sir.

Q. In what class of labour?—A. I received instructions from Mr. Parent to place all the pick and shovel men at \$1.50 a day, and skilled labour at \$1.87½.

Q. Did you know at the time that \$1.50 for labourers was the price agreed to between the department and Mr. St. Louis?—A. I got that information from Mr. Parent.

Q. Do you call that a higher rate than Mr. St. Louis was entitled to?—A. I do not know what he was entitled to; I know he got that.

Q. If the rate had been arranged in Ottawa according to the contract?—A. It was arranged in Ottawa.

Q. But you call it still a higher rate than he was entitled to?—A. I do not know what he considered he was entitled to, I know that is what he got.

Q. Do you know that the department made that arrangement with Mr. St. Louis?—A. I got that information from the instructions from the superintending engineer.

Q. You were called upon to put those men on the pay-list at \$1.50?—A. Yes. Well, \$1.50 is the price agreed upon under the contract. Would you still call that a higher rate than Mr. St. Louis was entitled to?—A. If that is the rate he contracted for, that was the rate he was entitled to.

Q. Well, at what price did Mr. Parent ask you to put these men on?—A. He never asked me to put them on at any rate, except in the letter of instructions that Mr. St. Louis is to be paid so much.

Q. It is mentioned here that you have received instructions from Mr. Parent to put the men on Mr. St. Louis' pay-list at a higher rate than they were receiving; what were they receiving?—A. To show that they were put on at a higher rate than they were receiving, we were paying men \$1.25, and St. Louis was getting \$1.50.

Q. Did you know that the \$1.50 was the contract rate?—A. I knew that through Mr. Parent's letter of instructions.

Q. Did you get all the assistance that you needed from Mr. Parent and his assistants during the progress of the works?—A. No; I did not.

Q. What did you ask that you did not get?—A. I never asked Mr. Parent for anything that he did not give me, if possible. I will explain what I mean.

Q. Your answer is that you got everything from Mr. Parent that you asked him?—A. Yes.

Q. And from his assistants?—A. I did not get everything I wanted from his assistants. I asked for plans and specifications, anything that would enable me to prepare the work at the proper time, which I did not get.

Q. You have already mentioned that in a letter that is actually filed?—A. Yes; there was a letter read here. I would like to have that letter produced and the correspondence. Now, in order to explain what Mr. Schreiber, in his evidence, objected to in the last paragraph of my letter wherein he thought it was a little too strong, I want to explain where I thought it was a little mild.

Q. Is not this the letter of February 4th, 1893, from Kennedy to Parent?—A. (Witness reads letter.) This last paragraph is the one that Mr. Schreiber took exception to as being a little too forcible. Now, I think that according to the rules of public works, I was in the position of a contractor, and the resident engineer could object to my foremen and dictate to them and tell them what they should do and give them instructions contrary to mine. I would discharge them immediately if they obeyed his instructions instead of mine. In the next place, if he was soliciting any information from that, or they had given him any statements, all the men that were on the Wellington bridge works were not honest, they might probably give him some fictitious reports, or something of that kind, that I should see before they were given to the engineer. Therefore, I thought I was perfectly justified in writing this last paragraph as overseer of the works. I think that any information given to Mr. Desbarats or to any resident engineer should come from the overseer himself or the contractor. I do not think that Mr. Parent has ever in one instance gone to any foreman or any man that was under the superintendent and given instructions to him without first consulting the superintendent; and if I as an engineer went to them and gave them instructions without first consulting the contractor, I should say that they ought to ignore me.

Q. Is it not a usual practice for engineers or assistants to go to foremen and give them orders, even when the contractor in chief is not there?—A. When the resident engineer passes over the work and the contractor is not there, it is natural that the engineer would consult with foremen and talk with them before giving any instructions or without first seeing the contractor or his representative.

Q. Supposing there was something pressing, and the contractor is away for a day or two, or only for six hours, what would the engineer do?—A. Then the engineer would give instructions.

Q. Then you do not agree with Mr. Schreiber's opinion on that point?—A. I do agree with Mr. Schreiber's opinion that he expressed to me privately. I do not know what his opinion was here under oath. I know that Mr. Schreiber told me that he, himself, as deputy minister, would not interfere with any men on my work without first consulting myself.

By Mr. Douglas :

Q. Do you know what instructions Mr. Trudeau gave to Mr. Desbarats?—A. I would like to have Mr. Desbarats's reply to this letter.

Mr. VANIER.—It comes next in the exhibit.

(Witness reads a letter dated Montreal, February 6th, in reply to one he had sent to Mr. Parent.)

I asked Mr. Parent in the presence of Mr. Desbarats why it was I did not get plans or something to go by. Mr. Parent said that he thought I had already seen the plans. I said I had not. He said we will get them in a few days, but we did not. The break was in December, and this letter is dated February 6th. I never got a detailed plan only from himself in the office, when we had to run after it, and Michael Kenny, who was the foreman over the stone-cutters, had to go there and get it.

Q. Did he get it?—A. No, he did not, except in point, the bottom measurements, the footing measurements, the base of the foundation and the same at top. It was Kenny and Doheny who draughted out the measurements of the different courses of stone for the pivot pier.

Q. Was the outlined plan of which you speak delivered?—A. No.

Q. It was on the 6th of February that he writes there?—A. Yes.

Q. Did he not leave about that time?—A. I am not quite sure. He could not have left about that time. Mr. Parent could tell that better than I.

"I have also given to Mr. Kennedy general dimensions of the abutment, but have not been able to furnish a detailed plan, as I have not had sufficient details of the metallic structure to complete this plan. I beg you will bear in mind that there have been several changes in the manner proposed for the construction of the work, each change involving an alteration of the plan.

"This was not, in my opinion, and should never have been, a reason why I have never received any plans. You know, as an engineer, that if a pivot pier is to be 39 feet square at the top and 18 feet deep, with a batter of one inch to the foot, it means so many feet square at the bottom, and if it goes down 10 feet more it means so much more masonry, thicker, with the same batter, so that the plans would not interfere very materially with the cutting of the stone.

"These causes have undoubtedly retarded the preparation of the plans, but the work has never been delayed for want of the plans."

Now, if I was a contractor and had commenced a heavy work, you do not think it would be very comfortable for me, in the middle of a cold winter, to be pulling off my mitts and running down to the engineer's office to find out his plans and details. I should have the plan in my pocket to show to my foremen who conduct the work.

Q. Did you make any complaints besides that he has mentioned?—A. To whom?

Q. To Mr. Parent or anybody else?—A. About whom?

Q. About anything?—A. I think I have.

Q. About things that may have interfered with your work?—A. If I knew exactly what you want to get at, I might be prepared to tell you, but I do not exactly know.

Q. Well, was the material delivered on the ground as you wanted it?—A. No, it was not.

Q. What material?—A. The stone was not delivered on the ground as I wanted it, nor as it should have been.

Q. Who supplied the stone?—A. Mr. DeLorimier, for the Wellington bridge, and Mr. St. Louis for the Grand Trunk and lock No. 1.

Q. According to special contract?—A. Yes.

Q. Did you know about the contract?—A. I did.

Q. You were furnished with copies of the specifications of these contracts?—A. Yes.

Q. So that you could check the material delivered?—A. Yes. I mean the stone.

Q. Did you ever complain that all the stone that was delivered on the works for the two bridges?—A. The stone that I meant to complain about was the stone that Mr. DeLorimier was to supply for the Wellington bridge.

Q. Was the other stone all right?—A. The other stone they delivered on time and very satisfactorily.

Q. Would you explain the carting of the stone from the St. Vincent de Paul quarries? Why did you cart it instead of bringing it in on the railway?—A. To explain that question and make it clear, I suppose I had better start at the beginning. According to the contract for the supply of the stone for the Wellington bridge, it should have been delivered on the 15th February. I think it must have been in the last week of March that Mr. Schreiber was in Montreal, although he stated here a few days ago that he was not in Montreal in March. But I will jog his memory a little bit by reminding him that when he, Mr. Parent and I, were standing on the temporary bridge, looking on the pivot pier, I told Mr. Schreiber that I would likely surprise Mr. Parent by sending him a letter that the pivot pier would be ready for the Dominion Bridge Company on the first of April. We had only about half of the stone for the coping of the pivot pier, and about the 25th or 26th March I notified Mr. Parent—I notified him before that—that we did not have the stone necessary to build the pivot pier. I went out in the country with Doherty to St. Amant to negotiate with him to have the stone delivered immediately for the pivot pier. The reason of its having to be carted was this: When you send out a team to the quarry and load a stone on immediately, that stone is delivered on the same day; whereas you have to have a number of cars loaded, to negotiate with the Canadian Pacific Railway Company to get an engine to go there to take that train off the siding and connect it with other trains, then bring it to Côte St. Antoine, have a derrick erected there to take it off, and cart it from Côte St. Antoine to the Wellington bridge. Then at the bridge we would have to erect derricks to get the stone in. We would have had to erect a derrick to unload the stone from the carts and put it on wagons at Côte St. Antoine and we would have been delayed five or six days, not less, except under exceptional circumstances; whereas we carted it to Montreal on the same day. I thought then and I think now, that all that expense should have been deducted from Mr. DeLorimier's contract, and that he should pay for that.

Q. Those are the reasons that induced you to cart the stone?—A. Instead of bringing it up by car.

Q. Did you cart any stone from the quarry?—A. I did.

Q. What was that for?—A. To clear the cribwork, or to retain the cribwork.

Q. What about the lumber that was ordered of Mr. Henderson?—A. There was a good deal of it.

Q. Was there absolute need of it?—A. Yes, I think there was, under the circumstances.

Q. Did you need those big sizes and the large quantities?—A. We did.

Q. Did you need those big flat spruce for the temporary bridge?—A. We did.

Q. How do you account for a certain quantity of lumber that was delivered and not used at all?—A. I do not know if there was any considerable quantity of timber ordered that was not used.

Q. What about the lumber ordered that still remains in Henderson's yards?—A. Well, that was ordered, I think, some of it for pile driving. That was stuff that was dispensed with, and we put in floating booms.

Q. Do you know that Mr. Parent was against that system of pile driving?—A. I think I recommended it, and I think the system of recommending pile driving came from me. It was my suggestion to Mr. Parent, and he recommended it to Ottawa. I am sure of that, because I was the first man that mentioned it.

Q. Did not Mr. Parent recommend a cheaper mode of constructing? Did he not recommend floating booms?—A. He recommended floating booms instead of pile driving, which was certainly a much cheaper and more speedy manner of doing the work.

Q. How would you explain the discrepancy between the timber ordered and delivered—the timber used in the permanent works and the portion that remains on the ground?—A. I do not quite understand that question; that is a very big question. I would like to understand it before I give an answer.

Q. You have seen the statements of the measurements made by Mr. Pariseau?—A. Yes. What you mean is this: That taking into consideration the quantity of timber and lumber that has been sent in by Mr. Henderson, the quantity used as on record here, and the discrepancy, you want me to explain where that discrepancy comes from?

Q. Then what do you think of Mr. Pariseau's figures?—A. I think he is away out. I do not think he was ever in a position to be able to figure on that timber. He stated that he never passed over the works except once or twice, and he took a man that could give him a little information as to the actual or nearly the actual quantities of timber, and the dimensions of the timber, that are in the permanent works and the false works, and then you have to get men like Corbeil to come up and swear as to his knowledge of all the timber that was stolen, given away and sold.

Q. Did not Mr. Papineau know about the quantity of timber that was used in the permanent works?—A. I do not think Mr. Papineau ever took any interest in the quantity of timbers that was delivered.

Q. I mean the quantity used in the permanent works?—A. I do not think he did, because there were changes made over his head. I mean to say that Mr. Schreiber adopted my suggestion of having one longitudinal, and afterwards they decided on having three. Mr. Papineau never took that into account.

By Mr. Douglas:

Q. They asked you to put in three lines of stringers?—A. Mr. Pariseau made out a statement of 315,000 feet, board measure. According to my memory, the amount of timber that is put in the permanent works—

Q. Mr. Pariseau took his quantities from Mr. Papineau?—A. I may add at once that Mr. Pariseau's statement concerns the quantity of timber, and the timber used in the permanent works was taken from Mr. Papineau's previous measurement.

Q. Mr. Pariseau only measured what was lying on the ground when he walked over it. He had Lavery with him, and they measured the timber actually on the ground. As to anything further about the false works or permanent works, he knew nothing?—A. I am only speaking from what I know myself. My information is that there is nearly double the amount of timber in the permanent cribworks at Wellington bridge over what I find in this statement. He makes 315,000 feet odd, and I think there is over 600,000 feet, board measurement, alone, in the cribwork.

Mr. ATWATER.—All the subsequent statements about materials have been based on Mr. Papineau's quantities.

Mr. McLEOD.—Except the material on the bank.

Mr. ATWATER.—I mean what was in the permanent works—the comparative statements made by Mr. Pariseau are based on Mr. Papineau's statements.

By Mr. Douglas :

Q. Will you examine exhibit C 34, being Mr. Papineau's statement that he has given here?—A. "Quantity used in permanent works." Here is wide, square timber used, 315,056 feet. What I understand by the permanent works is this: the cribworks, the pivot pier of the Wellington bridge, and the cribworks below the pivot pier of the Grand Trunk bridge. They make out 315,056 feet as a total for the permanent works. Well, I tell you that there is nearly double that amount of timber in the crib-work above the Wellington bridge, alone. The whole thing is defined here, it is all square timber.

Q. It was not billed in Henderson's account as square timber?—A. My answer to these questions in reference to this timber would be this: That the engineer should go to the works and make out a proper statement, and show exactly where they find their quantities, and we will do the same. Somebody must be right and somebody must be wrong.

By Mr. Vanier :

Q. We have a detailed plan here.

(C 73 and C 74 are put in as plans of the cribwork, and while witness inspects these plans his evidence is adjourned.)

E. KENNEDY, recalled, and deposed as follows :

By Mr. Vanier :

Q. Do you understand the plans? Can you read a plan?—Yes, sir; certain plans.

Q. What do you mean by certain plans?—A. Plans in connection with railway or canal work. Plans in connection with buildings, I do not know.

Q. Do you understand plans about bridges, masonry and cribwork?—A. Yes.

Q. Can you measure from a plan and stake out work?—A. Yes; but plans of buildings I do not know anything at all about.

By Mr. McLeod :

Q. What did you understand your position to be in reference to Mr. Parent in connection with these bridges?—A. I always considered that Mr. Parent was my superior officer.

Q. And you always acted on that understanding?—A. Yes, sir; tried to.

Q. And you had given him the time of the men engaged?—A. Why, certainly.

Q. He would be at perfect liberty to get the time?—A. Yes; from me.

Q. Would the same apply to Mr. Papineau?—A. Yes.

Q. He could have got the time also?—A. Certainly.

Q. Was the time ever refused to Mr. Papineau?—A. Never, to my knowledge.

Q. Did you oversee the works on the Grand Trunk bridge?—A. No.

Q. Not at all?—A. No.

Q. Were not the orders from the department that you should oversee it?—A. No.

Q. How did you understand that?—A. What is the question?

Q. How did you understand that you were not under orders from the department to oversee the Grand Trunk bridge?—A. I never knew I had anything to do with the Grand Trunk bridge.

Q. Why should you not have as superintendent of the canal?—A. As superintendent of the canal I should not have anything to do with either bridge.

Q. Did you definitely understand that you had nothing whatever to do with the Grand Trunk?—A. Yes.

Q. Have you always acted in that way?—A. Always, until I got verbal and strict instructions from Mr. Schreiber, I think, in the latter part of April—from Mr. Schreiber and Mr. Douglas.

Q. Did not Mr. Parent inform you that you were responsible for the Grand Trunk bridge?—A. Never, to my knowledge.

Q. Nor Mr. Papineau?—A. No.

Q. Then it was not because you were too pressed for time that you did not supervise the Grand Trunk?—A. It was not that I was too pressed for time. It was that I was too pressed for time and had enough to do without looking after the Grand Trunk bridge.

Q. Do you mean to say that you could not have attended to it?—A. I mean to say that a contractor could do four times the work that was done there if he knew what he had to do when he started. It is just as easy for a man to do ten jobs at one time as it is to do one, if he knows that he is going to do them from the start.

Q. You had not sufficient intimation before hand?—A. No, sir, it was never thought of that we would have anything whatever to do with the Wellington bridge.

Q. When you were with Mr. Beemer, I suppose you had to look after a good many structures at the same time?—A. I had.

Q. How far would you have to travel?—A. Well, I travelled over a five-mile section four times a day; that is to say, I went up the section in the morning and came back again, and I did the same in the afternoon.

Q. How many buildings, structures, culverts and bridges had you to look after?—A. It all depended on the general running of the railroad work. On some sections there would be a great many culverts, and on other sections probably very few.

Q. Still, there would not have been any more travel in looking after the Grand Trunk bridge and the Wellington bridge, if you had had sufficient time to make preparations?—A. Oh, yes, if you had had sufficient time, you might have made it easy. If you had a job to finish in a week that should take a month, you have got to be a little more hurried about it, and it requires a little more work; whereas if you had two months in which to do a week's work, it would take but very little time.

Q. But were not the plans prepared for the Grand Trunk abutments at the same time as they were for the Wellington bridge?—A. I do not know anything about plans in connection with either one bridge or the other. I never saw any except here.

Q. No plans at all?—A. No.

Q. Were no tracings furnished?—A. Yes, I saw tracings, as I said this morning, saw them in Mr. Desbarats's office.

Q. Were they furnished here?—A. I could only see them when I went there.

Q. Did you take measures to ascertain the cost of the work on the Wellington bridge; what it was costing to do it from time to time?—A. No, sir, I never did; that is, to give information about it.

Q. For your own information?—A. For my own information, I did.

Q. Did it seem to be costing much more from day to day?—A. Yes.

Q. It seemed to be expensive in the daily progress?—A. Yes. That is to say, expensive over other circumstances, other works in other places.

Q. What did you estimate that the masonry was costing per day?—A. I never estimated anything of that kind on that work.

Q. I thought you said you did?—A. No, I did not say that.

Q. Do you know what any class of the works were costing from day to day, what the cribwork was costing?—A. No, sir, I did not figure it out. It would take a more clever man than any man that was connected with the work to figure out what the cribwork was costing under the circumstances.

Q. And the stone cutting, did you ever try to find out what that was costing?—A. I did.

Q. What was that costing?—A. I cannot tell you accurately what it did cost, but I could tell you at certain times when I took the trouble to find out what it cost. Probably it cost less one day than another.

Q. What was it costing?—A. I think it was costing about \$9 a yard to cut the stone, rock faced ashlar.

- Q. For the Wellington bridge?—A. Yes.
 Q. Do you know what it was costing for the Grand Trunk bridge?—A. I could not tell you. It must have cost more, in my opinion.
 Q. That is, for cutting alone?—A. Yes.
 Q. Do you know what lock No. 1 stone was costing?—A. I could not tell you.
 Q. But what it was costing daily?—A. I could not tell you.
 Q. Did you keep your force within proper limits? Did you consider that the force you employed was a proper force?—A. What do you mean?
 Q. That you had not too many men, that you employed just the right number of men, in your judgment?—A. No, I thought we had too many men.
 Q. On the Wellington bridge?—A. Yes. If I was contractor, I would not have so many men.
 Q. Why did you have so many?—A. Because we had to, the circumstances obliged us to.

By Mr. Vanier :

Q. You had better explain. What were the circumstances?—A. The circumstances were, first of all, the severity of the weather, cold weather, water and so on. I consider that if the work done at that time of the year had been done in the summer time, it would save, probably, two-thirds; that is to say, we had five men where three would do. You can quite understand that when men are working in the water a foot or fifteen inches deep, and when they put down their shovel, they don't know what they are digging, they expect they are going to dig up clay, and they may get some.

By Mr. McLeod :

- Q. How long did that wet work last, in the water?—A. It was continuous.
 Q. Right up to the end?—A. Not to the end. Naturally, when the masonry was built above the water level, the work was dry.
 Q. But there were platforms; would they not keep the men out of the water—the platforms in the bottom of the canal?—A. The platforms were built above the old level of the canal.
 Q. There are some down in the bottom?—A. Yes, but that is above the old level of the canal.
 Q. Above the old bottom of the canal?—A. Above the old bottom of the canal.
 Q. You mean that inside the cofferdam it was wet?—A. Yes.
 Q. Were the cofferdams judiciously built?—A. I think so, I am sure of it.
 Q. They seemed to have been pretty wet?—A. That was owing to certain reasons. Last fall when it was decided that the Wellington bridge should be built, there was a dredge sent there to dredge out the bottom of the canal to a depth that was contemplated by the department to allow a draught of 18 feet of water. On the first of March it was changed to 20 feet, and then to 22. Had there been no dredging done, I think we could have saved all that trouble of putting in a cofferdam.
 Q. Altogether?—A. Yes, for this reason, that that cribwork is 158 feet and 6 inches—
 Q. That is, the cribwork above the Wellington bridge?—A. Above the pier. The cribwork is 158, and the pier itself is 41 feet and 2 inches, so that the bottom is nearly 200 feet; so that instead of having it sloped as it is, it would have been level; you would not have needed to have any cofferdam.
 Q. You would not have had cofferdams at all for the masonry and pier?—A. None whatever.
 Q. There was a cofferdam for the excavation?—A. Yes, we had to put in cofferdams above.
 Q. A wing dam, but not a cofferdam?—A. I call it a caisson for the pivot pier, I called the other a dam.
 Q. That is because you had to put in that timber above on account of the dredging?—A. Yes.

Q. That extended the whole way under the pivot pier, and also under the cribworks?—A. Yes, the whole length, over 200 feet.

Q. And that made it very troublesome all along?—A. Very.

Q. Well, apart from the wet works, was the force too large as regards the excavators, masons and stone-cutters?—No, sir.

Q. It was a proper course? I am speaking now of the Wellington bridge?—A. No, they were not.

Q. Were they good men?—A. Well, if they were not, they were discharged. I guess they would come up and give their evidence.

Q. Have you discharged many?—A. I did, I discharged one every minute and hour of the day.

Q. So as to get good men?—A. Yes, sir. I have a reputation for that.

Q. Did you notice the force on the Grand Trunk bridge?—A. I did sometimes.

Q. What did you think of it?—A. I thought under the circumstances they did very well.

Q. Do you think they had too many men?—A. I do.

Q. That applies to the wet work?—A. What do you call wet work, Mr. Chairman?

Q. The work about the cofferdam and the foundations for the cribworks?—A. Yes, they had more men than was really necessary.

Q. But in reference to the dry excavation, and the mason's work and the stone-cutting, how did the force seem?—A. They had more than was really necessary.

Q. For the excavation?—A. Yes, in every way.

Q. And masons and stone-cutters?—A. Yes.

Q. Carters?—A. Yes.

Q. They had more carters than was necessary?—A. Yes.

Q. According to your judgment?—A. Yes.

Q. How did that come to pass?—A. That is just what I want to answer—because there was no head.

Q. Was not Mr. Papineau the superintendent?—A. I was superintendent.

Q. I mean the chief engineer?—A. Yes.

Q. Was not Mr. Papineau there to see about it?—A. Yes. The reason why I make the statement is this; I should give an explanation of these answers.

Q. We want to get exactly what the facts are?—I am prepared, so far as my knowledge goes, to give you all the information. I do not wish to conceal anything. Judging from the answers I am giving, you would naturally think that Mr. St. Louis, or Mr. Parent, or Mr. Papineau were to blame for the answers I am giving, but I am giving them according to my opinion. Practically speaking, I think there was nobody in charge of the Grand Trunk works. Mr. Parent, of course, is superintending engineer, and had to look after both bridges, but his duties extended so far that it was impossible for him to look after everything. He had his office work to attend to, and it was impossible for him to act as foreman. Mr. Papineau was the resident engineer, I suppose; his orders are limited, like those of all other engineers, to certain orders from the department. Mr. St. Louis had the supplying of the labour. I suppose he had a pretty good thing of it, and he did not want to spoil it.

Q. But it was not his interest to limit the number of men?—A. Certainly not, I think it was his interest to get all the men there he could.

Q. And he had control of them?—A. To a certain extent.

Q. So that there was no check whatever upon Mr. St. Louis?—A. You mean as to the actual number of men? Yes, I am sure there was a check.

By Mr. Vanier:

Q. You said there was a check, was it the space that made a check?—A. No, I mean this: I had to certify, and I did certify to Mr. St. Louis's accounts. The check I referred to is that the time-keepers, Coughlin for instance, for one man, would certify to the account before I did, so that he counted the men. Those were his instructions from me. I would never certify to an account of Mr. St. Louis's or

anybody else's unless I thought that Coughlin had counted the men and certified to them, then I would sign the account. I did not care whether the man was Tom, Dick or Harry, as long as the number of men were there.

Q. Did you certify to the number of men without taking into consideration the class of labour?—A. No; I did not.

By Mr. McLeod:

Q. Did you look into the classification to see if it was all right before you signed it?—A. I did, to a certain extent.

Q. What was Coughlin's position?—A. He was chief time-keeper.

Q. Who for?—A. For the government.

Q. Was he employed by the government?—A. Yes, employed by me; he was one of my nominees.

Q. But he did not actually keep a book of the time himself for you?—A. He did.

Q. How did he get the returns of the time?—A. I want you to define between the Grand Trunk bridge and the Wellington bridge.

Q. I am asking about the Grand Trunk time?—A. How did he get it at the Grand Trunk? He only counted the men.

Q. But that is a very rough way to get the number?—A. Yes, it is.

Q. There may have been a lot of men on that he would not be able to count during the day?—A. I think a competent time-keeper could tell pretty near. I have kept the time myself of 1,200 men, and never recorded a man's name in a book, and never had any dispute on pay day.

Q. But there would have been other men taking the time besides, would there not?—A. No.

Q. But you should have the men's names down in a book?—A. By keeping the men's time on a monthly pay-list you become so well acquainted with the men that you would know them. Take for instance a wet day. It starts to rain at half-past seven in the morning, the men want to make a quarter time or half the day, but the time-keeper will not take out his book and disfigure it by taking those men's time, that is to say, if he is a competent time-keeper. You can go along a certain distance and take a certain number of men from memory.

Q. That is when you are working for months together with the same gang?—A. Yes.

Q. But this work was only for a short time, so you would not have the same opportunity of knowing the men?—A. My experience of time-keeping—and I think I can get good people to corroborate what I say—that I was a pretty good time-keeper; and I think that Coughlin is one of the cleverest young men I have ever met in that respect.

Q. At keeping time?—A. Yes; very diligent, and works day and night.

Q. Could you have got a better class of men than was supplied by the contractor, St. Louis?—A. I could not.

Q. You could not have done better than he did?—A. No.

Q. Did it make any difference to you in the progress of the work, that there was a contractor to supply the men?—A. It did.

Q. What difference did it make?—A. It made the difference that if I was a contractor myself, I would not have any other man to supply the labour, I would supply it myself.

Q. That does not answer the question. What difference would it make about the work?—A. It made considerable difference in this way: When the work started it looked as if Mr. Kennedy was the boss of the work. Of course, Mr. Parent was the superintending engineer and the resident engineer, but practically, Kennedy was the man who had charge of the work. He was recognized as being contractor. If a man wanted a job he would not come down to the office here and ask Mr. Parent. I do not think any of them ever asked him for a job, but they would go and ask Kennedy who was on the work.

Q. You think that made a difference in the tone of the men?—A. Just as soon as a man finds out that he is working for one man and another man is paying him, it makes quite a lot of difference, particularly when they know that he is allowed a certain rate by the man who is in charge of the work, and the contractor is allowed so much more. That is where the difference comes in.

Q. But a contractor must always make some money out of his men?—A. Decidedly; he would be very foolish if he did not.

Q. It does not make any difference to the work?—A. It does not make any difference to him, but it makes a difference financially to the man who is running the works.

By Mr. Vanier :

Q. Did you propose the system of contract labour?—A. If I was doing the work myself I would not approve of it.

Q. Could you not have found men yourself last winter?—A. Plenty.

Q. Without any risk at all?—A. No risk whatever; I would take all the chances.

Q. At cheaper rates?—A. Yes, cheaper rates.

By Mr. McLeod :

Q. There was no difficulty in getting men then?—A. None whatever.

Q. As a matter of fact did you not recommend contract labour at the start?—A. No, sir, I never did.

Q. Had you plenty of time to make all necessary preparations before you commenced the Wellington bridge?—A. No, I did not.

Q. What was deficient in the preparation?—A. Time was deficient to start with.

Q. When did you first commence to make preparations?—A. I think we did some little work about October in the shape of preparing derricks; but practically speaking, the heaviest part commenced about January, when we started to receive material, then on to the first of March.

Q. Did you not keep at it constantly from October?—A. We did, practically speaking. In October and November, the two latter months of the navigable season, the superintendent is always interested in the water ways.

Q. You had other things to attend to?—A. Yes, a great many other things, navigation business, correspondence, and a lot of office work and so on.

Q. Would it have been more difficult to build, supposing you were prepared to build those abutments in December, January or February, than it was in March and April?—A. They could have been built in the months of December, January and February, but they would have cost about 50 per cent more than they cost in March and April.

Q. For what reason?—A. For the reason that you have to contend against much harder weather, snow, shorter days, and work at night time, and frozen water.

Q. Although you had some very cold days in March, there was nothing like a continuous cold?—A. The cold days we had in March we could overcome to a certain extent, but we could not possibly overcome the cold weather in the months of December, January and February.

Q. Then you think it was wiser to have postponed the building until March?—A. I do think it was a wise idea.

Q. Of course, it would not have been wise to commence the masonry until you had a sufficient quantity of stone cut and prepared ahead?—A. No, certainly not, you could not start the masonry until you have the stone prepared.

Q. You would require to have it almost all prepared?—A. Yes.

Q. When was it prepared?—A. The first deliveries were made on the 24th January for stone cutting.

Q. When was the stone cutting finished?—A. It was finished about the 3rd or 4th April, just about the time the pivot pier was finished. After that we wanted to

finish the stone cutting and stone laying for the pivot pier so as to have it ready for the Dominion Bridge Company. But I was suspended on the 13th May, and they finished the parapet walls and other works afterwards, which could have been finished at any time.

Q. When did you require to have the pivot pier ready for the superstructure?
—A. I always understood it was on the 15th April, and we had it ready, I think, on the 3rd. We would have had it ready in March if we had had the stone.

Q. You were delayed for want of stone?—A. Yes.

Q. That was Delorimier's fault?—A. Yes.

Q. Was there any change made in the plan for the bridge seats that you are aware of, that required a different dimension of stone?—A. None that I know of.

Q. Were the stone supplied for the bridge seat at one time?—A. Previous to their being required for use? No sir, they were not.

Q. There were no bridge seats supplied?—A. They were supplied afterwards.

Q. Was there no stone supplied for bridge seats before then?—A. We took the stone as it was received and made the best of it.

Q. I want to ask you about those electric lamps. Do you know anything about that?—A. I do, sir.

Q. There were some bought, were there not?—A. I believe there were.

Q. What was the necessity of buying lamps? Could they not have been hired?
—A. They could have been hired.

Q. Why were they not hired?—A. Because the rental of them would cost at the wind-up more than the purchase price.

Q. You needed them for the work?—Yes.

By Mr. Vanier :

Q. Had you any lights in your electric light station?—A. Yes, we had.

Q. Did you use them?—A. Yes, some of them.

Q. Why not all?—A. Because they applied to the general running of the canal.

By Mr. McLeod :

Q. Were you using them at that season of the year?—A. Some of them.

By Mr. Vanier :

Q. You could not run your own light at that time?—A. There was no water power.

Q. Could you not have used your own lamps?—A. We could use some of them.

Q. Did you?—A. I believe they did, but not all. So far as the electric station is concerned, that is under Mr. John Connolly, and I do not know anything about it. I want to have it go out now that I did not know anything at all about it, anything at all about the electric lighting on the Lachine canal. As superintendent I had never anything to do with it, and never took any responsibility.

By Mr. McLeod :

Q. Had you to do with the lighting of the Wellington and Grand Trunk bridges?
—A. I had all to do with it in conjunction with Mr. Parent.

Q. You say the reason you did not hire lamps was because it would have cost more to hire than to buy them?—A. The rental of the lamps would have cost more than the buying of them.

Q. When the change was made in the assistant engineer and Mr. Papineau succeeded Mr. Desbarats, did that make any change in the progress of the works?—A. It did considerably.

Q. In what way?—A. Well, Mr. Desbarats, if he knew anything at all about the works as an engineer, was entirely conversant with all the details from the beginning of the work, his plan of work, and the fact of his being chopped off so

suddenly and bringing in Mr. Papineau, who knew nothing about it, must have affected the work very materially.

Q. The works had not been commenced when Mr. Desbarats left?—A. To a certain extent.

Q. They were not staked out?—A. No, they should have been, but they were not.

Q. So that the only difference would be that Mr. Papineau did not know anything about the plans?—A. Well, he is an engineer of the government, he can read plans.

Q. He would have time to study the plans?—A. Yes.

Q. Had the works got well advanced?—A. Yes.

Q. In that case do you think it would have made much difference to the works?—A. It made some.

Q. Do you think it made the works cost more?—A. No, I do not think it did much.

Q. Was there any delay on account of the supply of timber, or was it supplied as quickly as required?—A. Yes.

Q. There was no delay?—A. No, not that I remember.

Q. The stone for the Grand Trunk was supplied by Mr. St. Louis?—A. Yes.

Q. Was that supplied as quickly? Was there any delay in the supply of that?—A. It was well supplied, no delay.

Q. Was there any stone supplied for the building of the Grand Trunk bridge?—A. Not that I know of.

Q. Or the Wellington bridge?—A. I do not understand what you mean.

Q. Was there any other stone supplied for the building of the Wellington bridge besides that supplied by Mr. Delorimier, in this quantity you got out for the bridge seat?—A. No, sir.

Q. There was no other?—A. No, except that stone of St. Armand's.

Q. Was there any stone of the old abutments used in the Wellington bridge?—A. I think there was some used for backing.

Q. All the backing?—A. I think it was all in the backing.

Q. Was there a large proportion of the backings from the old bridge used?—A. Very little.

Q. What proportion of the backing of the Wellington bridge was used from the old bridge?—A. You could not put it as a proportion. Mr. Desbarats had draughted out a specification of the amount of stone that was requisite for the faced stone of both the pivot pier and the two abutments of the Wellington bridge, as well as the backing required for both.

Q. Did he take into consideration the stone in the old abutment?—A. I do not think he did.

Q. Could not that have been used to advantage in the backing?—A. It could have been, yes.

Q. Was there much of it wasted and not used, left there?—A. Yes.

Q. A large quantity of that stone was not used that might have been used for backing?—A. It might have been used, yes.

Q. Was there enough backing supplied from the quarries to make up the whole of the backing?—A. There was, I think.

Q. Without taking into consideration the old abutment?—A. Yes, I think there was.

Q. Do you know if there was any of that stone in the old abutments put into the backing for the Grand Trunk bridge?—A. There may have been, I am not quite sure. It is pretty hard for me to give evidence from memory on these minor details. I could not give you an idea of how much was used, but I think there was some.

Q. You think the proportion was not large?—A. I could not give the percentage.

Q. Did you have anything to do with checking the timber that was delivered by Mr. Henderson?—A. Well, I did not check the timber. I very often passed over and saw what was being done, and gave the cullers instructions.

Q. They acted under your instructions?—A. They did.

Q. Do you think they kept careful records?—A. I think and feel that they did, I am sure they did. I would be disappointed if I thought otherwise.

Q. Was the whole of the timber received in that way for both bridges?—A. No, there was some of it that was not.

Q. How was the other received?—A. The only instance I can quote is this: I know that Trudel, I think it was, was foreman for Mr. St. Louis on the Grand Trunk bridge, and he went to Henderson's yard and gave a few orders, but I do not think more than two or three. Driving past Henderson's yard one morning I saw Trudel there and I asked Mr. Henderson what Trudel was doing there, and he said he was ordering some timber for Grand Trunk bridge work. I said: Do you take orders from him? He said, Yes. I did not say anything more. When I went to the Wellington bridge I asked McGinly who was the timber culler, if he knew as a fact that Trudel was giving orders to Henderson for timber. He said, yes, and I remonstrated with McGinly for allowing Trudel—McGinly was timber culler—for allowing Trudel to give orders to Henderson.

Q. Was that for a large amount?—A. No, it was not.

Q. How many dollars would it represent?—A. I could not tell you in figures.

Q. Approximately?—A. Oh, I suppose \$500 or \$600, that Trudel bought for.

Q. Do you think that all that timber was delivered on the work?—A. All that timber?

Q. The timber that is billed in Mr. Henderson's bill?—A. Well, I could not tell you that. I think it was.

Q. To the best of your knowledge?—A. To the best of my knowledge, I have figured up what is in the permanent and temporary works in connection with the Wellington bridge and the Grand Trunk bridge, and I think that Henderson's account is about correct. I am perfectly safe in saying under oath that I am positive it is correct.

Q. Have you made an estimate of the quantities?—A. I have, to a certain extent, of the quantity of timber, not of the prices.

Q. Do you think the quantities, as billed, have all been delivered, to the best of your knowledge?—A. Yes.

Q. Of course, there is some timber remaining in the yard?—A. Yes.

Q. Can you give us an estimate of the quantity, the estimate you made?—A. I can give it to you to-morrow morning.

Q. The quantity in the false works and each platform?—A. Yes.

Q. In the cofferdam?—A. Yes.

Q. On the temporary bridges?—A. Yes.

Q. The timber in those stone-cutting sheds, flooring and studding?—A. Approximately.

Q. And the timber in each of the buildings?—A. Yes.

By Mr. Vanier:

Q. Do you know that Mr. Desbarats had made a change in the timber tender, to a certain extent, that it was spruce instead of pine?—A. Yes.

Q. Of his own accord?—A. Yes.

By Mr. McLeod:

Q. Did Mr. Parent sanction that?—A. He sanctioned it afterwards.

By Mr. Douglas:

Q. You did not understand that change to extend to other than the timber actually required for the cribwork?—A. That was done.

Q. For the whole timber delivered for the false works?—A. Yes.

By Mr. Vanier :

Q. Did it suit your purpose just as well?—A. Just as well.

By Mr. McLeod :

Q. The object of that was to get timber of the full size for the permanent work, was it not?—A. The explanation is simply this: That owing to the specifications or invitations for tenders being issued at such a short season, and the work having been done at a certain time, it was an advantage for the government to accept timber that was equally as good and get it in as short a time. There were only a few men in the city of Montreal, in fact I do not believe there were more than three, who could furnish the timber required for that work at the time.

Q. The timber was not suitable he was delivering; the flat timber, for instance?—A. It was suitable.

Q. I mean according to the specifications?—A. According to the specification it was not what was called for, but it was suitable.

Q. Well, it was not suitable for the cribwork?—A. It was, sir.

Q. Why was it not used?—A. It was used.

Q. Mr. Henderson said the change was made by Mr. Desbarats?—A. The changes were made by Mr. Desbarats, but the timber was used all the same.

Mr. ARCHIBALD.—I think there is a misunderstanding as to the quantity that I suppose you are referring to. I think you are referring to the size of the timber.

Mr. McLEOD.—Yes; the size of the timber was not suitable for the cribbing?—A. They were to a certain extent. But I thought Mr. Davis' evidence in explanation of that thing is about the best evidence any man could give, for this reason: That if that contract had been given out in the early part of the navigable season last year, in the month of June or July, and were there a specification from an engineer given as to a contractor, defining the exact length and sizes for cribwork or any other works in connection with the derricks, a contractor would naturally call for a specification from timber men, and get his crib down and his raft down with those exact lengths; whereas we had to accept it after the months of December and January, or in the months of December and January, when navigation was closed, and had to take what we could get, and where you wanted a stick of 20 feet you would have to use one of 24 or 25 feet.

Q. Cutting off the small end?—A. Yes.

Q. Have you any estimate of the quantity of iron that was used in the cribworks?—A. No, sir, I have not; but when you use a certain amount of board measurement in cribworks, there is a certain percentage on that number of feet of board measurement for iron work.

Q. That depends entirely upon the size of the crib?—A. Decidedly, the larger the crib the more the iron-work.

Q. It depends on the number of cross-ties and longitudinal?—A. That can be averaged.

Q. It is better to find out the exact quantity?—A. We could not do that.

Q. They ought to have been counted, I suppose?—A. They could have been during the progress of the work. If I was the contractor I would have exacted from my time-keepers to keep a close count of everything that was going on, and show me at the end of every week what the work was costing. But I did not do that because my force was new, and I guess they are new yet, some of them.

Q. What is your idea of overtime?—A. Well, I have sat here a good many days and listened to that question of overtime. I think it is a very wide question. Overtime depends, in my opinion, greatly on the circumstances of the work. When I was working with my father we had a great deal of work at night time. When we wanted a man we told him he would have to be out at night time, and he went out on the works for the same rate of pay as in the day time, for the simple reason that he knew that if he did not work that night, there was no use of his coming round the next day, he would not be employed. I have worked for contractors on

railroads where it is necessary to work on Sunday, and the men refused to work, but when we offered them double pay for Sunday, they would work. That is where contractors come in. I do not know what you would call that, you might call it overtime, or you might call it night time. Speaking from the feeling of human nature, if you ask any man here present, or ask any contractor, or any labourer, it makes no difference who he is or what he is, whether he would prefer to work in the day time for a certain rate or work at night time for the same rate, I think he would choose the day time. If you ask him why he was working at night time, he would say he was working for his overtime.

By Mr. Archibald:

Q. Working because he was getting more wages, contractors would reply?—A. It necessitates a contractor.

By Mr. Vanier:

Q. As a matter of fact, do you know that the contractor for labour has paid more for night work than for day work?—A. I could not tell you what he paid. All I know is what he got.

By Mr. McLeod:

Q. This specification of Mr. St. Louis contained an item for that?—A. I think it does, I am not quite sure. Relative to this question here is one thing I know, and it shows something very curious, that men should be more inclined to work in the day time than in the night time, and it is this: We had men working at night time and found it hard to get them there, and we had to induce the men on the works during the day, to come back and work for the night, otherwise we would not have got the men we wanted. We had to get them to come there and work half the night in order to induce a new gang to start to work all night.

By Mr. Douglas:

Q. Did you not actually ask for tenders for some kind of labour?—A. I did.

Q. What kind of labour?—A. Stone-masons, stone-cutters. I think I did.

Q. Then you accepted the principle of contracts so far as skilled labour was concerned?—A. No; I did not call that skilled labour. I called stone-cutters and masons mechanics.

Q. But you accepted the principle?—A. I endorsed the principle.

Q. And you accepted the responsibility of calling for tenders?—A. Yes.

Q. Why were not those tenders accepted? Did you receive any reply to your tenders?—A. Yes; I believe I did.

Q. But it was taken out of your hands?—A. It went out of my hand in the meantime.

Q. Did you call for tenders for labourers?—A. No, sir, I would not do it. I do not adopt and never intended to adopt it.

Q. But you adopted the principle so far as mechanics are concerned?—A. Yes, so far as stone-masons and stone-cutters were concerned, and I had a reason for doing so.

By Mr. Vanier:

Q. What was that reason?—A. The reason was this: That it is customary in the months of March and April when there is a lot of work being tendered for and given out through the architects' offices in the city of Montreal and a great deal of stone cutting is being done, and a great deal of building, and you know, Mr. Vanier, that in the city of Montreal stone-cutters and stone-masons have a society wherein they control the tariff rates of prices; and I thought myself that it would be a very good idea to hold a contractor responsible for supplying those men to guard against risk of strikes or anything of that kind and to save the government from such risk.

Q. Did you not, as a matter of fact, after those tenders were opened, go back on your previous opinion, and prefer to engage your own men than to have a contract for labour?—A. No; I never did; I may say that I wrote a letter to the department complaining about the contract being given out to any contractor for the supplying of labour.

Q. Was not that after those tenders were opened?—A. I am not quite sure. I never opened the tenders.

By Mr. Douglas:

Q. Did you send out this list of tenders (showing to witness a copy of the tenders)? Were they all asked for this office?—A. They were asked for this office. I asked Mr. Turner, and Mr. St. Louis, Rose and Trotter; I do not know them; the only men that I can recognize there are Turner and St. Louis.

Q. Your time-keeper on the Wellington bridge?—A. Excuse me, I think you ought to go more into that labour business.

Q. Make any statement you please. Say what you want to?—A. Well, go ahead.

Q. You think that during March and April of last year; if you had put out an advertisement calling for labour to work night and day, you would have got a sufficient number?—A. I would not have published any advertisement.

Q. You mean you could get enough men without it?—A. Yes; plenty.

Q. Then you do not claim any responsibility for this contract?—A. I do not.

Q. Who do you think is responsible?—A. I do not know. You will have to find that out. I think Mr. Parent recommended that idea; in fact he told me he did.

Q. What is the general price for ordinary labour in March and April; for ordinary labour?—A. What do you call ordinary labour?

Q. I mean ordinary common labour, with pick and shovel?—A. From 90 cents to \$1.25.

Q. In your pay-list, whom did you classify as skilled labour?—A. We classified any man that did not work with a pick and shovel.

By Mr. Vanier:

Q. That is your opinion?—A. No, it is not my opinion, it was my instructions.

Q. What is your opinion on this subject (No answer).

By Mr. Atwater:

Q. What were your instructions?—A. Mr. Parent wrote me a letter.

Q. Is the letter here?—A. It must be here.

By Mr. Douglas:

Q. Did you classify a man that used a crow-bar as a skilled labourer?—A. I did not classify anybody.

Mr. ARCHIBALD.—Mr. Schreiber said the same thing, I think.

Mr. ATWATER.—Oh, no; Mr. Schreiber wrote me a letter to Mr. Parent in which he says, —Witness, I do not want to go by Mr. Schreiber's evidence or any other man's. I want to give my own. I certified his pay-list, and I think it is right that I should be in a position to explain it.

Q. Your classification of skilled labour was every man except those who were engaged in using a pick and shovel?—A. No, they were not.

Q. For instance, take the derrick men. How many men in connection with a derrick did you classify as skilled labour?—A. I could not tell you that. I might guess that.

By Mr. Vanier:

Q. What is your personal opinion as to what a skilled labourer ought to be?—A. The definition of skilled labour means a mechanic, but they were not all mechanics

By Mr. Eward :

Q. Would you apply the same definition to skilled labourer?—A. What is the distinction between the two?

Q. I want you to define it?—A. There is no distinction. A skilled labourer means skilled labour. A man who is qualified to be a skilled labourer would come under the heading of skilled labour. It is only a grammatical definition.

By Mr. Douglas :

Q. Did your timekeepers make up their time on a time list like this?—A. Who are my timekeepers?

Q. Those that you appointed?—A. Name them, please.

Q. Glenn, Coughlin and Davin, I think?—A. That is not Coughlin's writing nor Davin's writing.

Q. I want to know the form?—A. Sometimes they made them on those for us, and when they did not have them they had to go and buy them themselves.

Q. Did they hand one of these forms to you?—A. They handed forms to me.

Q. And you sent one of these forms to Mr. St. Louis to make out his pay-list?—A. I never did, but I understand that Coughlin did.

Q. Did he leave a duplicate with you?—A. He did.

Q. Have you got those duplicates now?—A. I have some of them, I do not know that I have them all.

Q. Did you compare these pay-lists that St. Louis made out, or did anybody compare them with the form that you have? When it came back were the names and the hours compared?—A. Do I understand that you want to get all the information possible out of me, or are you trying to block me in giving my evidence?

Q. Not the slightest; it is information we want. I want to know whether this was checked with the form?—A. I never checked them.

Q. Then so far as you are concerned, you accept this pay-list for the Wellington bridge on the endorsement of others? Could you vouch for the correctness of that?—A. I could not.

Q. Who could?—A. Mr. Coughlin.

By Mr. McLeod :

Q. Have you any copies of these lists that Mr. Coughlin gave you?—A. I have some, I do not know that I have them all.

Q. Will you furnish them?—A. I will furnish anything you ask me to.

By Mr. Douglas :

Q. So far as you are concerned, you trusted to others to compare the time with the original sheets?—A. Yes; you can quite understand that where there was stone cutting, material and labourers, I did not have time to go through that.

Q. We do not expect you to do it. Now, who classified the labour on that pay-list?—A. Mr. Schreiber classified it.

Q. But who classified them under the classification of Mr. Schreiber?—A. They were classified according to Mr. Parent's letter through instructions from Mr. Schreiber.

Q. But who was it done by? By Coughlin?—A. To a certain extent by him, and principally by myself.

Q. But you would not tell Coughlin?—A. The letter of instructions from Mr. Schreiber to Mr. Parent, and from Mr. Parent to Mr. Kennedy, was this: That all pick and shovel men were to be put down at a certain price, and all others—

By Mr. Atwater :

Q. Everybody that had not a pick and shovel?—A. No, a carpenter would be a carpenter, a stonemason would be a stonemason, and a stonemason would be a stonemason, and all between those and the pick and shovel men were skilled labourers.

By Mr. Douglas :

Q. I only want to know from you if Coughlin made the classification on that pay-list according to your instructions? When he wrote out the names did he write the names that you told him, saying: I have instructions that all except pick and shovel men?—A. Yes, that is the way.

Q. And he did it?—A. Yes, he gave the names in.

Q. Then the pay-list came back after being made in St. Louis's office from the sheets of which you have some of the duplicates?—A. Yes.

Q. And Coughlin compared them with the sheets and then you certified to them?—A. That is to the best of my opinion. There may have been some differences in the classification, but I do not remember them at present.

Q. Did you have any difficulty about lists, or any dispute about them with Mr. St. Louis, or about the certifying?—A. I think I had. There were some delays in paying, or some delays in rendering accounts and bills by us. I do not remember what the differences were and I would not certify to them.

Q. Do you know for what reason you did not certify them?—A. I believe from the beginning to the end, and later on, there were differences of opinion all along as to the rating of the men, the classification of the men, principally with regard to stonemasons, stonecutters and foremen. It came directly under my notice, and I did remember them at the time.

Q. What is a time-keeper worth a day?—A. I see in both these lists they are all put in as foremen; I do not know anything about that; I never remarked it. If I was a contractor, my time-keeper would be the principal man on the job.

Q. Does he get paid as much as a foreman?—A. What is a foreman being paid?

Q. Well, we have had evidence here about time-keepers and Frigon gets 40 cents an hour.—A. Mr. Schreiber said he would pay a time-keeper \$40 or \$50 a month. I received \$80, and left the job because I did not think I was getting enough.

Q. So you think that 40 cents an hour or 60 cents at night for a time-keeper is not too much?—A. It depends on his ability.

Q. For the class of time-keepers you see there?—A. But you must consider in classifying the men on a work of that kind, that it is not being done by a contractor who has been a number of years in the work and has a class of men following him; he has got his superintendents, he has got his mechanical superintendents, he has got his machinists, foremen and so on. But we had to drop into the work at once, and in two months we had to create foremen and make time-keepers, and create almost everybody, and by the time the work was finished they all knew something, but they did not know anything when they started.

Q. Consequently you would not pay that class the same price as skilled time-keepers?—A. What are they classed there?

Q. The time-keepers are classed as foremen at \$4?—A. I would not give them \$4. The time-keepers on the Grand Trunk job might be more efficient men than they were on the Wellington bridge; but I did not know them.

Q. Now, with reference to the Grand Trunk pay-list, the evidence goes to show—First, had you had any connection, or did you in any manner appoint time-keepers for the Grand Trunk bridge?—A. No.

Q. Coughlin stated in his evidence that on an average he went three or four times a week over the Grand Trunk bridge, that during the latter part of the month when he was making that pay-list, he had to stay up all night sometimes, and was very busy, and he could not attend to it; that he walked over the works and counted the number of heads, without any classification; and that the only check he had on the Grand Trunk time-keepers was in that general way; and that on the average he could only go there four times a week. Now, I want to know if that is all the check you had on the time, or if the only connection between you and the Grand Trunk bridge was Coughlin?—A. I depended solely on Coughlin.

Q. You had nothing to do with the time-keepers on the Grand Trunk bridge?—A. Nothing whatever.

Q. You knew nothing of how they made up the time?—A. Nothing at all. I knew when I saw the lists.

Q. There was no time-sheet made up? Did these time-sheets or time-books go to St. Louis's office or some other place, and were they there made up into pay-lists and then sent down to you?—A. If I remember rightly, I think that Coughlin made out a time-list and submitted it to me. He only gave the number, but no hours.

Q. You knew nothing about that until it was signed?—A. Nothing whatever until Coughlin signed it.

Q. So that you accept no responsibility other than through Coughlin for that time-sheet on the Grand Trunk list? That is all you know about it?—A. That is all I know; yes.

Q. Were you consulted with regard to the appointment of time-keepers on the Grand Trunk?—A. No.

Q. Were you consulted as to the appointment of foremen?—A. No.

Q. Do you know who placed the labour upon the Grand Trunk bridge?—A. Mr. St. Louis.

Q. Did you give Mr. St. Louis any requisitions for labour?—A. No.

Q. Did you ever sign any requisition?—A. No.

Q. Supposing we ask Mr. St. Louis to bring up his requisitions for labour, for stonemasons, stonecutters, &c.; so far as your knowledge goes, he cannot show any?—A. I never signed any, that is all I know.

Q. You never signed any requisitions?—A. Never.

Q. How did you get the labour on the Wellington bridge?—A. I took it as it came.

Q. But you had the power of refusing it?—A. I did.

Q. Did you hire the men, or did St. Louis hire the men and send them to you, or did you take the men that he sent you, or did you hire them yourself and put them on the pay list?—A. No. I was there in the morning at half past six or a quarter to seven. Mr. St. Louis was not expected to be there at that hour, and I could not wait till he came down at 10 o'clock to ask for a hundred men.

By Mr. Vanier:

Q. Do you mean to say you acted exactly as if there had been no contract for labour at all?—A. Yes.

By Mr. Douglas:

Q. You accepted the responsibility for the class of labour on the Wellington bridge?—A. I did not accept any responsibility at all, but I say I took the labour as I wanted it.

By Mr. Atwater:

Q. Do you mean you engaged the men yourself?—A. Yes.

By Mr. Douglas:

Q. Did you ever observe the mason work on the Grand Trunk, and laying of the stone? Did you ever observe the number of derricks?—A. Just from a distance, I did.

Q. Did you ever count the masons upon the abutments of the Grand Trunk?—A. I have, but I could not remember to give you an answer to that question from memory.

Q. How many would you consider were there—six or eight or twenty-four?—A. I could not tell you from memory.

Q. Did you ever give an order on the Grand Trunk railway bridge previous to the 20th April when you were ordered there by Mr. Schreiber?—A. I never gave an order, but I gave my opinion.

Q. Was it asked?—A. It was asked by Mr. St. Louis.

Q. With reference to what?—A. Mr. St. Louis came over to the flour sheds where we were cutting stone, and wanted to know where he would put a derrick and put the stone. I told him I had nothing whatever to do with that bridge. He said: "Well, you are not going to refuse to give me your opinion." You know where it should be placed. What would you do if you were doing it? I said: "I have nothing at all to do with it; you can go on yourself and do it." He said: "No, that won't suit; you must come over and tell me." So I went over in a casual way and pointed out where I would do it, and, I believe he did so. But I never gave it as an order.

Q. Is that all you had to do with the Grand Trunk previous to the last of April?—A. Yes.

Q. Do you remember the circumstances under which you went on to the Grand Trunk?—A. I do.

Q. What occurred?—A. You know.

By Mr. Vanier:

Q. We do not know?—A. I do not remember the date. I will tell you what I know. The first time I went on to the work, or the first time I was ordered to go on the work was by Mr. Schreiber. I do not remember the exact date, but I think it must have been some time in April, when he remarked to me that there was a large number of men in excess, carters and so on, on the Grand Trunk bridge and a lot of loading going on. He said he would expect and exact of me to go there and discharge any men, carters or anybody else, that in my opinion were not necessary. I said to him: Probably you might think the same of the Wellington bridge. He said: No, he thought we were doing very well on the Wellington bridge, but that the Grand Trunk bridge was not being run as it ought to be. That is why I felt disappointed at being suspended. Later on, when they had their caisson built for the excavation of the cribwork below the Grand Trunk pivot pier, the water broke in on them, and they kind of got discouraged. Mr. Douglas came to me and said I would have to go over there and give those fellows a hand. I said: I have nothing whatever to do with it. He said: You have got to, Mr. Schreiber says you have got full control now. There is no use in having the work cease; Trudel has given up the whole thing, and you must come and take hold of it. So I went over and took hold of it, and the next day they were ready to excavate. I do not remember the date; it was some time in April.

Q. Was it not on account of an extra pump being ordered?—A. No. With reference to the extra pump, we sent a pump over with a boiler to pump out the caisson when they had it ready to start pumping, and they made the remark that Kennedy had sent over the worst pump they had on the job. According to Corbeil's evidence the pump would not work because Kennedy wanted to finish the Wellington bridge before the Grand Trunk bridge. I went over and took a man with me and proved to them that the pump would work, that the boiler would work, and we pumped it out in an hour and a half.

Q. It was not an application for an extra pump?—A. Then the caisson had become undermined on account of the clay falling in. Mr. St. Louis wanted to get a second pump, which we ordered. Mr. Douglas came down that morning—I believe I went up to the hotel and woke him out of bed that morning, and told him what was wanting. He came down, but in the meantime I had ordered a pump and boiler. We went over and had a survey of the caisson and we came to the conclusion that one pump was sufficient.

Q. Did anything occur when you came over on that bridge? Was there any scattation? Was there any surprise? Did they seem to be surprised to see you?—A. I believe they were a little bit. I was a kind of a terror round there occasionally.

Q. I only wanted to show that Mr. Kennedy accepted some responsibility as to the Grand Trunk?—A. I never accepted any responsibility whatever for the work of the Grand Trunk bridge. All I did was to go there and proffer my advice and opinion, if it was worth anything, in order to expedite matters on the work.

Q. Did not Mr. Schreiber hold you responsible after he ordered you to go on to the Grand Trunk bridge and attend to the orders?—A. It may be Mr. Schreiber's opinion that he told me so and so; but I do not accept anything Mr. Schreiber stated to me privately. Es stated to me privately, and in his evidence here, that I was directly under Mr. Parent, the superintending engineer. I will accept nothing else. I do not care what Mr. Schreiber may think. That is what I say, and what I think and what I feel.

Q. Now in this classification, what do you consider the proportion of the work done on the Wellington bridge and on the Grand Trunk bridge? Is it one-third or one-fourth?—A. Do you mean the excavation?

Q. I mean the whole thing?—A. I could not tell you at the moment.

Q. Have you a general idea?—A. If you asked me about the masonry—

Q. Give us a general idea. How many abutments were there?—A. There were two abutments on the Wellington bridge.

Q. And a pivot pier and two abutments on the other?—A. No there were not. There were two abutments and a pivot pier on the Wellington bridge, and you said there was the same on the other.

Q. No. I said two abutments and a pivot pier on the Wellington bridge. How is it that they employed more masons upon the one bridge than the other?—A. Probably the face was not quite so severe on the Grand Trunk as it was on the Wellington bridge.

Q. Do you think they could employ 20 masons on a face 36 by 10?—A. No, you could not.

Q. It has been stated here that the number and time of the stonemasons was enormous? It has been stated that the reason of the excess of masons on the Grand Trunk bridge was that they were picking the face wall or the old retaining wall, of the canal?—A. Now, Mr. Douglas, excuse me. Remember, as I said before, I am prepared to give all the information possible relative to the works. If you put the question to me in order to show that 20 masons can be employed on a certain section and you think they might be employed at the same time at another point, I would like you to put the question that way.

Q. I want to ask you how many men you saw at one time picking the projecting point of the wall between the two bridges. Did you ever see any men picking there?—A. I did.

Q. How many?—A. At which bridge?

Q. Anywhere that would be charged to the Grand Trunk pay-list?—A. I think I saw ten or twelve at one time.

By Mr. Emard :

Q. Did you see them all at the same time?—A. Certainly.

By Mr. Douglas :

Q. Did you ever dismiss any of them?—A. I believe I did. I did not dismiss them, but I sent them away to their works until they were not needed there.

Q. What was the necessity for picking this wall?—A. There was a necessity.

By Mr. Emard :

Q. It has been stated here that Mr. Papineau, the engineer, ordered it?—A. My opinion is that my evidence has a great deal to do with this commission, and if any of the lawyers take exception to any of my answers, I hope they will allow me to answer Mr. Douglas.

Mr. EMARD.—I do not take exception to the answer, but to the question.

By Mr. Douglas :

Q. It is a perfectly pertinent question, because the engineer might have ordered an unnecessary expenditure of money?—A. Engineers are not infallible.

Q. Had you on your pay-list any men picking this face stone?—A. Not that I remember.

Q. Is not the wall as rough above the Wellington bridge as below it?—A. I do not believe it was.

Q. How happened it to be so rough that it required picking between the bridges?—A. Because there was a good reason for it.

Q. What reason?—A. The reason was this: That you take the north wall on the south side of the Lachine canal, and this would be the rest pier for the swing bridge of the Wellington bridge, and the cribwork would extend up there; (referring to the plan,) and so on, up to the rest pier of the Grand Trunk bridge. The boats would have the walling timbers of these piers here to rub against, and should never interfere with the walls proper, whereas above, they would. In the building of this wall on the south side, the rock face was a little dented—it was scabbled off more, whereas up here it was not, because the boats could not go in there.

Q. Now, with regard to the cut stone on the Curran bridge, how long had you your own time-keepers for the stone-cutters? You had a time-keeper, I understand, for a certain length of time, and after that, I think it was taken by Villeneuve?—A. No; Villeneuve never took time for the Wellington bridge under me.

Q. I am talking about the stone-cutters?—A. Or the stone-cutters either.

Q. Who was time-keeper for the stone-cutters for you?—A. Villeneuve was.

Q. You had not your own time-keeper for the stone-cutters for the Curran bridge?—A. No.

Q. Did Villeneuve give to you or to Coughlin a list of the stone-cutters?—A. In the beginning, Coughlin had nothing whatever to do with taking the time of the stone-cutters for the Wellington bridge. Villeneuve was the time-keeper for Mr. St. Louis' stone cutters on the Curran bridge, and Hugh Doheny was the stone-measurer, and counted the men and checked them. Both he and Kenney gave me the information from day to day.

Q. Have you that list with you now?—A. No.

Q. Can you furnish that list of the number of men daily who were stone-cutters?—A. Well, I have got a large amount of papers at my house; I could not tell you whether it is there or not. It is quite possible I may have a record at the house.

Q. Have you any idea of the greatest number of stone-cutters on the Curran bridge?—A. I think I once counted 90.

Q. You do not know at what time?—A. No.

Q. Do you know anything about the cutting of lock No. 1 stone?—A. I do not know a great deal about it. I passed there frequently.

Q. Had you time-keepers for the cutters of lock No. 1 stone?—A. No.

Q. You had no time-keepers?—A. No, sir.

Q. Did you receive instructions to stop the cutting of lock No. 1 stone?—A. I believed that there was something about it. If there is a letter on record, I do not remember it.

Q. There is a letter from Mr. Parent to you that the lock No. 1 was not to go on. Can you state why you did not speak to Mr. St. Louis at the time?—A. I can. Do you wish me to?

Q. Certainly I do, because that is one of the reasons assigned for your suspension, that you did not obey orders?—A. I ordered Mr. St. Louis and Mr. Villeneuve, verbally, to stop cutting stone for lock No. 1, through the instructions of Mr. Parent.

Q. About the date of that letter?—A. I did. But the date of that letter I do not remember.

By Mr. Emard:

Q. On receiving the letter?—A. On receiving this letter I gave verbal instructions.

By Mr. Douglas:

Q. The letter is dated the 15th March. Now, subsequent to that you ordered St. Louis and Villeneuve verbally to stop the stone-cutting?—A. Yes, sir.

Q. What answer did they make?—A. Well, they both answered. Mr. St. Louis answered: Yes, that is all right, we will see Mr. Parent. Villeneuve, of course, had no other answer to give than that he had seen Mr. St. Louis; he was working for him. The following day Mr. Parent came to the Wellington bridge, and said: I have a letter to stop the cutting of the stone; and he said that Mr. St. Louis had talked the matter over with him and they thought that as they had some stone on hand that the government would have to pay for, it was just as well to go on with the cutting of that stone; locks were to be enlarged next year and the stone would suit for the same purpose. Mr. Parent came along and talked the matter over with me, and gave St. Louis's reasons that I have just mentioned; and he told me to allow him to go on with the cutting of the stone.

Q. According to your recollection Mr. Parent permitted him to go on with the stone-cutting?—A. Yes, I think you will also find on record a letter from Mr. Parent giving Mr. Desbarats instructions to take charge of the renewal of the masonry of the old lock No. 1, taking it completely out of my hands, notifying me that he had charge of the renewal of the masonry of the old lock No. 1. It was to Mr. Desbarats to whom the contractors had to apply to get the necessary information for the supplying of stone for that work on lock No. 1. Mr. Desbarats came to me and asked for information relative to it. I told him the lock was submerged with water and ice and that he could not see it, and there was nobody in the place that knew anything about it but myself, and that they had taken the whole thing out of my hands.

Q. Did you not invite tenders for lock No. 1 stone?—A. I did, and they were recognized.

By Mr. Atwater:

Q. You have referred to a letter. I do not think it is right to make evidence on that letter unless it is produced?—A. I received a letter signed by Mr. Parent, I could not tell you the exact date. It must have been in the early part of March or the latter part of February.

Q. About how long after you had received instructions to stop the work on lock No. 1?—A. It was before.

Q. Before you had received instructions to stop the work on lock No. 1?—A. Yes.

Q. Then your instructions to stop were subsequent to the letter you speak of now?—A. Yes, if subsequent means after.

Q. According to what you have just now stated, you received instructions to stop the stone work on old lock No. 1 subsequent to the letter you received from Mr. Parent?—A. The letter to which I refer was before the work started at all.

Q. Then was it before the letter that Mr. Parent received from Mr. Schreiber telling him to stop the work?—A. No, it was long after the letter.

Q. And after the letter that Mr. Parent wrote you telling you to stop the work on lock No. 1?—A. About the time when Mr. Parent got instructions from Mr. Schreiber to stop the work, Mr. Parent wrote me.

Q. The letter you refer to is a subsequent letter from Mr. Parent, telling you to allow St. Louis to go on?—A. No, the letter I am referring to is this, which shows that Mr. Desbarats had full charge of the work, he was the engineer in charge of the work, and Mr. St. Louis himself took instructions from Mr. Desbarats. I was not counted in the game at all. Mr. Desbarats was then on the work.

The further examination of this witness was adjourned.

The commission then adjourned.

S. A. ABBOTT, *Stenographer.*

LACHINE CANAL INQUIRY.

MONTREAL, 5th August, 1893.

The commission met at 10 a.m.

Present:

Messrs. McLeod, Douglas and Vanier.

EDWARD KENNEDY recalled and deposed as follows:—

By Mr. Douglas:

Q. I cannot find that letter to you about lock No. 1. It is not in the office, and it is not in list given?—A. It should be on record in Mr. Parent's office.

By Mr. McLeod:

Q. Have you got the letter yourself?—A. I have not.

Mr. ARCHIBALD.—I remember having seen a letter somewhere, but I do not know where. I refer to the letter giving Mr. Desbarats charge of lock No. 1.

Mr. PARENT.—A departmental letter from Mr. Trudeau—that is with himself.

Mr. KENNEDY.—I stated it was a letter from Mr. Parent to Mr. Desbarats and a letter also to myself, notifying me that Mr. Desbarats was to have charge of the works.

Mr. PARENT.—That letter is here. There is none to Mr. Desbarats.

Mr. KENNEDY.—I am satisfied there was a letter because I know the men who were contracting got invitations to tender for the supply of stone for lock No. 1. Mr. Desbarats came to me personally to get information, and I gave him in writing a slip of the quantities that I thought, in my opinion, were correct, and they went according to those.

Mr. ARCHIBALD reads from copy of a letter to Mr. Desbarats: "Mr. St. Louis has been instructed to put himself in communication with you in so far as concerns the delivery of stone and the execution of the contract which has been awarded to him for the Grand Trunk stone and the lock No. 1."

Mr. DOUGLAS.—That is the stone contract, not the cutting contract?

Mr. KENNEDY.—He was awarded the stone contract and the cutting contract too.

Mr. ARCHIBALD reads: "Sir, I have the honour to inform you that the tender of Emmanuel St. Louis, for the delivery of the stone required for the construction of the Grand Trunk bridge at Wellington street and the renewal of old lock No. 1, has been accepted. * * * Mr. St. Louis has been requested to put himself in communication with you so far as concerns the delivery of the stone and the execution of the contract which has been given to him."

Mr. VANIER.—He had no contract for cutting that stone?

Mr. KENNEDY.—Yes, he had a contract for cutting the stone; the labour was furnished by him to cut the stone. There is a fixed price for cutting, so much per day for the men.

Mr. VANIER.—But you could not call that a contract for cutting stone?

Mr. KENNEDY.—It was he himself who looked after the cutting of the stone.

Mr. VANIER.—There was no fixed price to cut that stone per cubic yard?

Mr. KENNEDY.—No, they were fixed prices, so much per day to cut stone.

Mr. VANIER.—A contract for labour only?

Mr. KENNEDY.—Yes.

Mr. ARCHIBALD.—At any rate that letter evidently shows that there must have been some other letter referring to the matter because that is exactly what Mr. Kennedy would have had to do as superintendent of the canal, so far as regards lock No. 1, had he not been otherwise instructed?—A. I complained verbally to Mr. Parent about the taking of that work out of my hands, and Mr. Parent made an excuse that Mr. Desbarats was there as an engineer, and that he should be the proper man; and through that verbal complaint I received a letter notifying me that Mr. Desbarats was in charge of the works for lock No. 1.

By Mr. Parent:

Q. Did you not keep that letter?—A. That letter was probably amongst those that were confiscated in one of my offices.

Mr. PARENT.—I know there is a letter to Mr. Kennedy notifying him that Mr. Desbarats had been appointed engineer in charge of the works.

Mr. ARCHIBALD.—Of lock No. 1?

Mr. PARENT.—Not specifying lock No. 1, but the whole thing.

Mr. KENNEDY.—Yes, it specified lock No. 1, because if Mr. Desbarats had never got instructions from you to take charge of that work, he would never have come to me to ask for information necessary to the running of that work, because no one knew but myself what that work was. Mr. Desbarats knew no more about it than the man in the moon, because he never saw the lock. When he did ask me for the information and wanted me to go down with him, it was, as I said yesterday, submerged in water.

By Mr. Vanier:

Q. If there has been a letter to that effect a copy of it ought to be found in the department?—A. It ought to be, yes. I did not have time last evening to go through my correspondence at home. I may possibly find it between now and Monday, because I am sure there is a letter on record.

Mr. PARENT.—Yes, there is a letter, it should be in the book.

Mr. DOUGLAS.—Here is a letter from Mr. Desbarats, but it is all about lock No. 1: "I beg to transmit to you herewith for your information copies of three letters received from the chief engineer of canals in connection with the building of the masonry, piers and abutments of the Wellington street railway bridges over the Lachine canal. Pursuant to request from the department, you will please prepare with the least possible delay plans of all the masonry referred to. I also inclose copies of the specification for the stone required for the renewal of the masonry of old lock No. 1, as sent in by the superintendent." That is a letter from Mr. Parent to Mr. Desbarats dated 21st January. Then there is a letter from Mr. Kennedy to Mr. Parent of the 17th January: "Specification of stone for the renewal of the masonry of old lock No. 1," and so on.

Mr. KENNEDY.—This letter was asked from me by Mr. Parent in order to give Mr. Desbarats the necessary information to put him in a position to take charge of the work. One of the reasons given for my suspension by the deputy minister, Mr. Schreiber, is that I did not stop the cutting of the stone for lock No. 1. Now, it is very essential on my behalf that this letter should be found. I want to find out whether that was the reason why I was suspended.

Mr. DOUGLAS.—By that letter you would think it was subsequent to this that Mr. Desbarats would have his instructions. It is dated 19th January.

Mr. KENNEDY.—The contract had not been given out then.

Mr. PARENT.—Here is a letter of 28th November.

Mr. DOUGLAS.—That has nothing to do with lock No. 1, that is about the bridge.

Q. Then you verbally stopped Mr. St. Louis?—A. Yes.

Q. I think you said yesterday that you verbally requested Mr. St. Louis and Mr. Villeneuve?—A. Yes.

Q. Did the work stop then?—A. No.

Q. They did not stop on your orders?—A. No.

Q. What occurred?—A. Well, that day or the following day—it could not have been later than the following day—I met Mr. Parent and we talked the matter over about the instructions he had received from Ottawa. Mr. Parent said he had seen Mr. St. Louis, and Mr. St. Louis had some stone on hand and thought it was just as well to go on with the cutting of those stone, that it would be needed in any case, that they were going to enlarge the locks probably next year, and the same stone would suit.

Q. Did you see Mr. St. Louis after that?—A. I think I saw him pretty nearly every day.

Q. Did you speak to him after that conversation with Mr. Parent?—A. I think I spoke to him about the opinion that Mr. Parent expressed in reference to that work.

Q. So you considered you had instructions from Mr. Parent to permit the stone cutting to go on?—A. Yes.

By Mr. Emard :

Q. Without any letter?—A. Without any letter.

By Mr. Parent :

Q. Refresh your memory, Mr. Kennedy. Did not the conversation apply to the stone that they had already commenced cutting, that they might finish that?—A. No, sir.

By Mr. Vanier :

Q. There is a contradiction between Mr. Parent and yourself on that point?—A. Well, I am giving my evidence to the best of my knowledge and memory. I do not know what Mr. Parent may think, I am speaking for myself.

Q. Mr. Parent stated quite differently under oath, and you are saying something else also under oath?—A. Yes.

Mr. ARCHIBALD.—Of course it is not necessary to assume that either Mr. Kennedy or Mr. Parent is not telling what is true. The only thing is they may have misunderstood each other. Mr. Kennedy is giving his version and Mr. Parent gave us his, and perhaps the two may have misunderstood each other.

Mr. VANIER.—At first sight I would be inclined to think that the orders were given to go on with the cutting of the stone which had been begun.

Mr. KENNEDY.—The question is simply this: How much stone was cut at the time Mr. Parent received his instructions from the deputy minister in Ottawa? How much undressed stone was on hand at the time? Would there be an equivalent amount of undressed stone to finish the contract at the time Mr. Parent received instructions from the minister to cease cutting for lock No. 1.

By Mr. Atwater :

Q. Did you give any instructions to Mr. St. Louis in writing?—A. Not that I remember, I had nothing to do with Mr. St. Louis.

By Mr. Emard :

Q. Did you not have instructions from Mr. Parent to stop the cutting of stone?—A. I believe I did.

Q. What else had you to do than to give an order to Mr. St. Louis or to the head foreman? Did you give an order to the head foreman?—A. I do not think I ever gave any instructions to the head foreman.

Q. So you did not obey Mr. Parent's order?—A. I say I did obey it.

Q. How did you obey it, since you did not tell Mr. St. Louis or his foremen?—A. I had nothing to do with giving Mr. St. Louis any orders in writing.

Q. To whom did you give an order in obedience to Mr. Parent's letter?—A. Mr. Parent himself should do that in writing.

Q. Give a letter to Mr. St. Louis?—A. Decidedly.

By Mr. Douglas :

Q. When did you see that stone-cutting work again?—A. I saw it, I think, pretty nearly every day driving past.

Q. When was it stopped?—A. Sometime in April I think.

Q. How many stones do you suppose were partially cut at the time that order to stop was given?—A. I could not tell you now.

By Mr. Vanier :

Q. How many stone-cutters were there?—A. At the time the order was given?

Q. Yes.—A. I do not remember.

Q. You could not say approximately?—A. No.

By Mr. Parent :

Q. Did you not supervise the cutting of the stone all the time?—A. Not all the time, I could not.

Q. But did you not make it your business to look after the cutting of the stone and to see how the stone-cutters worked?—A. I did not.

Q. How does that agree with your complaint that Mr. Desbarats was meddling?—A. That complaint was made before the work for lock No. 1 was commenced.

Q. Then that shows that at the time you assumed it was your business to look after that?—A. I think it would show that I was assuming nothing of the kind.

Mr. ARCHIBALD.—It seems to me that there is a difference of opinion between Mr. Kennedy and Mr. Parent. It is said, I do not know how truly, that this matter was mentioned in the presence of Mr. Villeneuve, and why should Mr. Villeneuve not be called here to say what his understanding of it is?

Mr. DOUGLAS.—Of a subsequent conversation with Mr. Parent?

Mr. ARCHIBALD.—Yes, I understand so.

Q. You say you gave orders to Mr. Villeneuve and Mr. St. Louis and the next day you met Mr. Parent?—A. The same day or the next day.

Q. But you do not say that Mr. Villeneuve was present?—A. Not at the interview between Mr. Parent and myself.

By Mr. Atwater :

Q. You remember to have spoken verbally to Mr. St. Louis after you first received instructions to that effect from Mr. Parent?—A. I think I did, yes.

Q. And subsequently you allowed him to go on, did you?—A. Through Mr. Parent's verbal instructions. I do not see why Mr. Parent should forget giving instructions and afterwards allowing the cutting to be continued, because he drove every day to the works and went through the works with Mr. St. Louis. If he received written instructions from the deputy minister, and instructed me to stop the works, surely he must have made some reproaches to me that would be on record here, when he saw that I was allowing the work to go on; from his own point of view, I think there should be something on record to show that he remonstrated. It would be a serious affair if I were allowed by the superintending engineer to override his authority. I would not allow it if I were in his place.

Q. Could he put on record his instructions?—A. Put on record the reasons why the work was allowed to continue or the reason why I allowed it to go on, if he assumed that I was responsible.

Q. The only written instructions you received from Mr. Parent were the orders to stop it?—A. That is the only written instructions I have any knowledge of.

letter?—A.

Mr. DOUGLAS.—Here is a letter dated Montrouge May 4th, from Mr. St. Louis to Mr. Schreiber in which he says: "Which letter, I may say, is the only written or verbal instructions I ever received to this effect."

Mr. KENNEDY.—That remark of Mr. St. Louis, telling him it was the only notification he received is incorrect in my opinion.

it, I think,

Mr. PARENT.—I notified the foremen when they were going to cut the hollow points. I wanted to know the date when they received the hollow points, and I told them immediately: Now, you stop that. They were going to begin cutting the hollow points.

that order

Mr. ATWATER.—Mr. St. Louis says he was stopped on the 24th April.

By Mr. Douglas :

was given ?

Q. You have heard here the number of the stone-cutters' hours, you have heard what the stone-cutting cost, nearly \$68 a yard; can you account for that. Here is Mr. Doheny's statement of the actual quantity of stone (exhibit F). Is Mr. Doheny competent to make that calculation?—A. There is nothing here about the cost per yard for cutting.

Not all the

By Mr. Vanier :

the stone

Q. It is only for the work?—A. I see 284 cubic yards. This is for lock No. 1. I thought there were more cubic yards of stone than that for lock 1.

beddling ?

Q. Mr. Doheny has put that in as a sworn statement?—A. I am sure there are more yards than that. I made out a specification that would equal about 560.

enced,

By Mr. Douglas :

as to look

Q. But there is a lot on hand?—A. Yes. He is capable of making out a statement of that kind.

kind,

Q. You cannot give any reason for the large cost of that lock No. 1, stone costing about \$68 per yard?—A. I would like to have a contract at that price.

between

Q. In going through the sheds and looking at the skilled labourers in Jacques's sheds, besides the number of masons—A. I do not like to let that question go and have it go to the public that I could not explain the reason why that stone cost \$79 a yard.

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Q. You see in that statement that they had 24 or 26 skilled labourers in Jacques's sheds; do you know what skilled labourers were required on that work?—A. I should like to have it put on record that these sheds should have been better defined than they have been. They have been called Jacques's shed. I want it understood now that all the stone of lock No. 1 and of the Wellington and Grand Trunk bridges were cut in what we call the flour sheds. In Jacques's shed proper there was no stone cut.

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Q. Then define where the stone was cut for lock No. 1?—A. It was cut in No. 1 flour shed.

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Q. Now, there are 26 skilled labourers moving that stone about charged on that pay-list. Did you ever see 26 skilled labourers? How many derricks were there in No. 1 flour shed?—A. I think there were two derricks.

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Q. Of course there would be no derricks inside?—A. No, we could not put a derrick inside.

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Q. Do you know how they could use 26 men there, or did you ever see 26 men other than the masons?—A. I could not say I did.

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Q. How many men would you think necessary to cut that amount of stone?—A. There were men canting the stone, because the first day when we started cutting stone—

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Q. I am talking about lock No. 1. There are 300 yards of stone cut, there are 26 skilled labourers and two derricks. Ten men to two derricks would be a large number. How many men were there at the derricks?—A. Five and six. As to the other number, I could not give you any reason why they were there. I know

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there was a large number of men cutting stone in the sheds, and it is quite probable that, knowing the labourers would not be sufficient to turn the stone so as to accommodate the stone-cutters fast enough, probably that would necessitate two gangs: along with having men to cant the stones over to accommodate the stone-cutters, and then some men helping to load the cut stone on to the stone boats to clear out the sheds, and to unload as the stone was being brought in.

By Mr. Vanier :

Q. Would that require skilled labour?—A. My opinion is that it would require a handier man to use a crowbar, to load or unload the stone. If a man were a little awkward or unhandy he might chip off the corner bits of cut stone.

Q. Would you call that skilled labour according to the definition you gave yesterday? Would it require a mechanic?—A. No, it does not require a mechanic. I think I said yesterday a skilled labourer was a mechanic.

By Mr. Douglas :

Q. What were the dimensions of No. 1 shed?—A. I think it was about 320 feet long by 45 feet wide. I cannot give the figures exactly.

Q. Was the Grand Trunk bridge stone cut at lock No. 1?—A. Part of it was.

Q. Had the Grand Trunk and lock No. 1 stonecutters, two sheds to themselves?—A. In the beginning they had only one shed; later on when we got through the greatest portion of the cutting of the stone to the Wellington bridge, they had two sheds. They cut the stone in No. 1 and No. 2 sheds and a lot of it outside between the sheds and on the wharf.

Q. Could not 300 yards of stone be cut at one time in one shed 300 feet long?—A. I could not give you the exact quantity of the stone that might be cut in one shed. But I know that you cannot place the men too close to one another for the reason that they would be in danger of chipping off pieces. I did know on one occasion when I found out from the stone measurer the number of yards in one shed, but I forget what it was.

Q. You did know the number of yards cut at one time?—A. Yes, but I forget now.

Q. You have no note of it?—A. No.

Q. Here is the tender of Shearer & Brown. Look at the last item, 100,000 feet of three-inch pine planks 10 to 16 feet long, averaging 10 inches wide, at \$11 a thousand. Did you consider that a contract? I presume Henderson's contract was the same. The specification in that you considered was three inch-pine plank, 10 to 16 feet long and averaging 10 inches wide; is that what you required by your invitation to tender?—A. I do not exactly remember the wording of the invitation.

Q. Look at exhibit C 15, page 8?—A. That is the invitation to tender.

Q. Then consider the contractors who supplied three-inch pine plank, 10 to 16 feet long and averaging 10 inches wide. Now, what quality did you expect them to supply? It is not stated there?—A. No, it is not stated.

Q. The price is stated?—A. Yes, all the lumbermen who were sent invitations to tender, came personally to myself to get the necessary information. I think Mr. Shearer was one of the first who came, then Mr. Henderson, then Mr. Hurteau's brother and Mr. Greer. The others did not tender. Mr. O'Connor, of Story & O'Connor, Ottawa, gave evidence here and stated that he could not find Mr. Kennedy.

Q. He stated that he could not find the specifications and the sizes?—A. All those men, after coming to me, were sent to Mr. Desbarats who was in charge of the works, to get whatever information was possible; so that every lumberman who was asked to tender, got all the information that could be given. I may also state that O'Connor did not do much business as a lumberman. I do not think he had a thousand feet of that kind of lumber on hand. He was also anxious to tender on stone. Since that time he has failed. I do not think he would have been a very

good authority on the lumber business. He also made a statement here, or his father in Ottawa complained on his behalf, that there were 75 pieces of timber that were not properly defined as to size. I think you will find in Mr. Desbarats's estimate that it gives the exact numbers.

Q. But that is where the point comes in. Only one lumberman says that he saw this specification. Mr. Greer says that he never saw it?—A. Greer was at Mr. Parent's office often enough and at Mr. Desbarats's office.

Q. But you had no knowledge of that?—A. I have knowledge of that.

Q. But you never refused any information?—A. I never refused any lumbermen any information that was possible in every detail. I did not watch this as a practical engineer having charge of invitations to contractors to tender. We generally have to go to the office where the contracts are given out to get estimates and quantities from the engineer.

Q. You never refused a specification of the lumber yourself personally?—A. No, sir. To my knowledge I never have refused any information to any lumberman with regard to the specification and the definition of this invitation to tender. I never refused any one that came to get information?

Q. Now, there is a large number of derricks there. There is a derrick account here of Mitchell & Sims. Besides the derricks, he made the pumps. Were they tendered for, or did you put in new pumps?—A. This tender was exclusive of timber.

Q. The whole tender was exclusive of timber?—A. Yes.

Q. What does it mean, then?—How does it come to be invoiced in this manner with the details? That would look like a complete derrick.—A. It would look like a complete derrick, but all the timber for these derricks were prepared at the government shop. The tenders were submitted to the deputy minister at Ottawa by Mr. Parent, but I forget whether I was present at the time. But all these things were explained to Mr. Schreiber.

Q. Did not your specification show a complete derrick?—A. I forget now. In any case all those who had invitations to tender had got the information necessary. They all understood exactly what it was.

Q. Then why should this man invoice it in that way? It looks as though he was supplying a complete derrick. (Showing the witness a paper.) Is that what you sent to Ottawa?—A. That is a copy of the abstract that was submitted to Mr. Schreiber for the supplying of the derricks. Guy derricks, eight ton capacity, \$345. That is Miller Bros. price. In looking at it any man of experience would know immediately that \$345 would not be the amount.

Q. On further reference to this invoice I see \$555 for a five ton derrick. It is invoiced complete?—A. All these derricks were supplied with the understanding of having the timbers prepared by the department.

Q. Who tendered?—A. McDougald, Miller Bros.; I forget the others.

Q. Were they supposed to tender on that basis?—A. They were.

Q. Not accordingly as it is invoiced there?—A. Not accordingly as it is invoiced.

Q. Then you fitted up all the derricks in the shop, did you?—A. No, they fitted them up.

Q. But you made all the timber?—A. Yes.

Q. Did you not make a lot of extra booms?—A. Yes, we made some extra pumps and stop-logs and sills.

Q. How many derricks did you build altogether?—A. I think there were five five-ton derricks, and two or three one-ton-and-a-half derricks. I know there were two eight-ton wire rope derricks, and three or four three-ton hand power derricks, and five-ton stop log derricks were built, to be run by hand power, horse power, or steam power.

Q. Now, the Ingersoll Rock Drill Company—you bought some engines outside the contract? Did you consider it absolutely necessary for the work to buy extra engines and powers?—A. Yes; they were absolutely necessary.

Q. With regard to this cement business, did you see these tenders?—A. I am looking at a tender submitted by Mr. Douglas, with reference to cement, dated 20th March.

Q. Why did you pay \$2.70 for cement, when you could get it for \$2.60?—A. I never contracted for any cement.

Q. Who did, or how was it given out?—A. On Friday evening, the 17th March, about three o'clock, I telephoned to Mr. Parent's office here, and Mr. Lesage answered the telephone. I asked if Mr. Parent was present, and he said, yes, and Mr. Parent came to the telephone and answered me. I told him, "We are ready to start building the masonry on the south side of the canal for the south abutment—we are ready now." Mr. Parent was surprised, and told me so over the telephone. I said, "We are ready for cement, and we are waiting for it." He told me not to do anything until he came up. He came up to the Wellington bridge within half an hour. We had all the excavation completed and were ready to start into the work. I asked him if he had done anything about contracting for cement, and he told me, no. Further than that, several parties had come to his office to speak about cement. He asked me what brand I thought was best, and I told him that I thought this brand was the best. He said that the only one in the city who had a quantity of that sufficient for the requirements, was McNally. The others had a hundred barrels or two hundred barrels, and so on. So, through Mr. Parent's approval, I telephoned to McNally to send us some cement that evening to start work the next morning, which he did. I think we used twenty barrels on the 17th March, either that evening or the first thing the next morning, because we started to build on the morning of the 18th March.

By Mr. Vanier :

Q. Did you use white cement all along?—A. All along, except that I think Mr. Claggett sent us ten or twenty barrels—it could not be less than ten. Then another man—I think Mr. Bellehouse and Dillon, or they may have been acting for Claggett—sent us some. I know the cement sent by Claggett was not billed in his name; it may have been sent by Bellehouse & Dillon. I think we used twenty or thirty barrels of White Cross cement. I took no responsibility whatever in contracting for cement.

By Mr. Douglas :

Q. Instead of piling up this expensive plant and derrick, could you not have hired derricks, or bought second hand derricks sufficient for the purpose?—A. No; I do not think so. The work had to be done in a hurry and was of a very heavy nature; in my experience of renting derricks, it would be very dangerous to take what I call contractors' refuse. We had one instance at the St. Gabriel break last year, where a derrick that was rented from a contractor fell and killed a man. On the other hand, by paying from \$2 to \$3 a day for a number of derricks to do work that was to last only two or three months would cost almost as much as new derricks, and then you would have nothing left; whereas now I think the government are in possession of a complete and first class plant that is worth money every day in the week, because they are always necessary on the Lachine canal or on other canals under the department.

By Mr. McLeod :

Q. Here is a letter from Mr. Parent to you, of the 15th March, 1893:

"I beg to submit for your information an abstract of a letter received from the chief engineer re supply of labour for the Wellington and Grand Trunk railway bridge works. Rates are arranged on the following basis, namely, skilled labour, \$1.87½ per day, good labourers with pick and shovel, \$1.50: and that the canal staff labourers can be employed on those works by the government. All such men as are called for by you are to be supplied by Mr. St. Louis."

Now, does not that imply that the labour was to be asked for from Mr. St. Louis by Mr. Parent?—A. It would appear so.

Q. Then you had knowledge of that also?—A. I think that is addressed to me; I received that.

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Q. You must have known that the labour was to be asked for from Mr. St. Louis?—A. Should have been asked?

Q. Should have been called for from Mr. St. Louis?—A. Yes, sir.

Q. That is to say that he had the supplying of the men, or, as you think, they should be asked for?—A. Yes, sir.

Q. You understood that?—A. I understood it.

By Mr. Vanier:

Q. You have heard that several witnesses testified before the commission that work had been done at your house by canal employees while you were superintendent?—A. I did.

Q. Have you any explanation to furnish with regard to that matter?—A. I have, sir.

Q. We would like to hear it?—A. The first time I ever thought of having any work done at my house by any canal employees, I gave strict instructions to Mr. Baillairgé, the time-keeper, never to place any man's name who was working off the works on the Lachine canal for myself or anybody else, on the government list. No man had ever worked at the house to my knowledge or with my intention, without being paid by myself or by my wife, even if men were working at my house when they were paid on the canal. For instance, in the spring time when I could not remember at the end of the month—I did not have as good a memory as Mr. Baillairgé—it might be possible that a man's name might have slipped in on that list, but not to my knowledge. If there is any one to blame for it, I think the time-keeper should know enough, and be competent enough to go according to instructions. He has also stated here that he reported some things to the office here, and was told by others to be on his guard. He also stated that one of his reasons for being so much against the superintendent was because I expected him to be there at seven o'clock in the morning and stay on the work until six at night. I think a time-keeper who is getting \$80 a month and his travelling expenses, must be a competent man to be worthy of that salary. I worked as a time-keeper and travelled over a five mile section four times a day and took the time every time; I went up and down in the forenoon and the same in the afternoon.

By Mr. McLeod:

Q. Without a horse?—A. Without a horse, and went through a railroad, too. He was asked the question: was Kennedy on the work at seven o'clock, and he answered, yes, which I was before seven and after six. He said the reason why I could be on the works so early was that I had a horse and drove there. Mr. Baillairgé lived in Côte St. Paul ten or eleven years, I don't think he lived more than a quarter of a mile from the canal, and it would not have killed him to go according to the superintendent's instructions and to be on the works before seven o'clock and go back to get his breakfast.

By Mr. Vanier:

Q. Don't you think it would have been less risky to have employed outsiders to do private work at your house?—A. Probably it would not look so suspicious. One reason that I did not, was that I could not find the labour. I live on the front of the canal at Côte St. Paul, and am very little acquainted in Côte St. Paul, I could not tell you the name of one street. I know but few men there apart from these working on the canal. Leaving early in the morning I did not have time to go around to engage labour, and it was more convenient for me, if the men could be spared along the works, to take one of them to the house to do the work.

Q. You said yesterday that Delorimier did not fulfil his contract and delayed you by not delivering the stone?—A. That is right.

Q. Do you remember that Mr. Parent wrote to you on the 21st December about that contract as follows:—

"With reference to the place and time of the delivery of the stone required for the masonry of the new bridge by the contractor, I have been notified by Mr. Delorimier that he is ready to commence delivery at once; so that you would do well to have the necessary derricks for unloading the stone, immediately in position where you consider it would be most advantageous in the interest of the works to have delivery made. When this is done, please notify Mr. Delorimier."

Mr. Parent wrote to you again on the 3rd January, 1893, in which letter to you he says:

"I beg to transmit to you herewith for your information, copy of a letter from Mr. Delorimier in re delivery of stone as per tender for the new Wellington bridge, piers, etc, calling attention to the fact that no derrick had yet been erected, and otherwise protesting and holding the government responsible for the damages he may sustain on account of this contract. Please report at once what has been done in the matter since my letter of 21st December last, on the subject, and what steps you are now taking towards providing the required plant for unloading that stone."

A. I remember those letters very well. What is the date of the first letter?

Q. 21st December, and the second one, 3rd January. What have you got to say about that?—A. About the time I received that first letter, I was working day and night at a break at St. Gabriel. Mr. Parent came to me in company with Mr. Desbarats one afternoon and told me that Mr. Delorimier was ready to deliver the stone, and he said: "You have not got any derrick up yet," I said: "I am ready to take the stone at any moment." You know, Mr. Vanier, that it does not require a derrick to unload a stone, if a man is pinched he may throw it off with a bar, and we had plenty of space. As to Mr. Delorimier protesting against the department for he or any other contractor who had to deliver stone last winter or last spring, was delayed. We have always been ready to receive stone. The first deliveries was made on the 4th January, and we were ready to receive the stone on the 4th January. We were ready to receive them any moment after the contract was signed.

Q. Did you put up any derricks?—A. I did.

Q. That letter was written on the 3rd January. Probably you went down and put up your derricks on that day and the next morning you were ready to receive the stone?—A. I was ready to receive the stone if there was no derrick up. What day of the week was the 3rd January?

Mr. DOUGLAS.—Tuesday.

By Mr. Vanier:

Q. Could you give us an explanation?—A. Excuse me, I do not think the 3rd was on Tuesday.

Mr. DOUGLAS.—According to this diary it is on Tuesday.

A. I can swear positively that I sent Dan Darragh, the foreman of the works, with a few men down to Jacques's sheds to erect a derrick on Saturday morning, between Jacques's sheds and the flour sheds.

By Mr. Douglas:

Q. On 31st December, you mean?—A. Yes, on the Saturday. The first deliveries were made on the 4th January; I can say that from memory. So that goes to show that I erected a derrick on Saturday the 31st December, and I received that letter from Mr. Parent notifying me of Mr. Delorimier's protest, on the 3rd January. Therefore I had a derrick up and was ready to receive the stone before he protested. Mr. Parent was with me also in Mr. Desbarats's presence at St. Gabriel. Of course I was too busy and could not attend to everything. It is just as easy for a contractor to do ten jobs at one time as it is to do one job, if he has got the facilities to do it.

By Mr. Vanier :

Q. Could you give us any explanation about the change that was made in Trihey's invoice, changes of pine for oak?—A. I will tell you what I know about it.

Q. It is a very important point?—A. Mr. Trihey started in the lumber business with a man named End, I think he had more money than brains about the lumber business. I negotiated with him for the purchase of some oak, which was to be charged, I think, to income. Some-time after I purchased I found out through the office here that the appropriation had been pretty well exhausted and would not stand the amount for the oak. He came repeatedly to my office to get payment for it, which could not be done without some special arrangement being made with the department, and I had it transferred from oak to pine and charged to another appropriation so that he could get his money.

By Mr. Atwater :

Q. His statement was correct, then, that it was by your instructions that the change was made?—A. His statement was correct.

By Mr. Douglas :

Q. That oak was long oak, was it not?—A. Different dimensions.

Q. What could it be used for?—A. Lock gates.

Q. You would have to have it sawed up?—A. Yes.

Q. That was a pretty high price. I have not seen it myself, but they tell me it was poor oak?—A. What I saw of it was very good.

By Mr. Vanier :

Q. Did you not see the oak before it was sold to Trihey?—A. No, I did not.

Q. Did anybody speak to you about it before it was sold to Trihey?—A. Not that I remember.

Q. In the course of your duties on the canal since your appointment, you have made several changes in the appropriations ; I mean, you varied the appropriations once in a while. According to Mr. Baillairgé's statement, you changed several items from capital to income, and vice versa?—A. That is the only knowledge I have of it, is through Mr. Baillairgé's information.

Q. What about the pay-lists?—A. That is all I know about it. Mr. Baillairgé was such an incompetent time-keeper, in my opinion, that I did not consider, until the end of the month which was in the latter part of my overseeing the work, that it was necessary to have the lists brought to my office, wherein he gave me the men's time to put on the sheets. Sometimes I would look at it once or twice a week, according as I had time, and would define which appropriation they should be charged to, which I always thought, in my opinion, was correct.

Q. You must not forget that Mr. Baillairgé was very positive in his affirmations about this subject, and gave all details, as he was under oath?—A. Yes, sir, and I am quite surprised to know that he was so positive. I am also quite surprised that his memory is so good now, under certain circumstances or for certain reasons. I do not know if he has any personal motive for it, but what is most surprising to me is that he can give evidence of things that were done months and years ago, and would allow a whole month to elapse while he was giving a man time that never worked on the work.

Q. That does not clear up the variations I was speaking of, a time-keeper forgetting a name. A time-keeper is very apt to forget a name?—A. He should not be apt to forget a name where there are only 60 to 70 men. He might forget it for a day or half a day, but I do not think he should forget it a whole month, day after day. My memory is not as fresh to answer these questions as positively and as definitely as Mr. Baillairgé.

Q. I suppose so. But he has furnished here a list of documents in your own handwriting.

Mr. ARCHIBALD.—Produce them, show him the documents.

A. I am positive I can remember, and I consider that I have got as good a memory as the average class of men.

By Mr. Atwater :

Q. Some of the pay sheets had some of your remarks on them?—A. Yes, I have seen them all and acknowledged them.

By Mr. Vanier :

Q. Do you mean to say that Mr. Baillairgé said what was untrue?—A. I think myself that what Mr. Baillairgé said was untrue, and is untrue.

Q. Have you any reason to think so? Do you think he cannot be believed under oath?—A. I would not like to say anything of the kind. I would not like to call any man a perjurer, but I would not place any confidence in his memory or ability as a time-keeper.

Q. His ability as a time-keeper is another thing. As to his memory, it has been proved here that he has taken notes all along—proved by himself?—(No answer.)

By Mr. Douglas :

Q. Did you not get a letter from Mr. Parent not to change one appropriation for another?—A. I know that six or eight months ago Baillairgé went to a certain physician here to get a recommendation to have him changed from the canal as time-keeper, that his health was bad and his memory was bad; and he gave different reasons.

By Mr. Vanier :

Q. Who told you that?—A. The doctor himself. The doctor told him that he would not be foolish enough to give him a recommendation of that kind; that if his health was bad, outdoor work would be more suitable.

Q. Who was the doctor?—A. That was Dr. Aubrey.

Q. He did not look like a man who had a bad memory?—A. He does not look like it. Mr. Parent knows that I have just reasons for complaining against his style of working.

Q. Did you bring this morning that statement about the lumber employed?—A. I have not got it completed.

Q. Will it be ready on Monday?—A. I think so. I have got a good many of the notes, but I think I had better make it complete.

By Mr. Douglas :

Q. Did you find any time sheets?—A. I found quite a lot of them.

By Mr. McLeod :

Q. In reference to that classification, you said that you made the classification yourself, without any knowledge of Baillairgé's, that he had nothing to do with making the classification?—A. Sometimes I did. Speaking of that man's memory, it is a question between man and man. We are both under oath, and if I am making a statement against Baillairgé, or Baillairgé makes a statement against me, one of us must be right and the other wrong. But at the end of every month Baillairgé could never remember what the men worked for. There is a certain thing that has got to be put on the back of all the time lists, which is commonly called a heading, and that man could never tell what the men were working at, because I myself had to give him the headings. Mr. Lesage and Mr. Duchesneau can testify to that. I think a great many of these notes can be traced to some one else, and that they never emanated from himself.

Q. Could you mention the some-one?—A. Yes, I think I might go that far; I think it was some of the men along the canal. He said himself that he was told by officials in the office to take notes. Mr. Lesage came in and denied it.

By Mr. Douglas:

Q. He said there was a man in Lachine who told him?—A. He did not mention who it was in his evidence. I could not swear positively that I heard those men post him to do it so and so. I have my suspicion of who those men were.

By Mr. Archibald:

Q. I do not think this is a place for suspicion. If you know anything, say so; if you do not know anything, hold your tongue?—A. Then I will have to hold my tongue.

By Mr. Atwater:

Q. You do not know anything?—A. I do not know anything.

Q. If you have any statement you want to make, I would like you to make it before I put any questions to you?—A. Well, I never prepared any statement to make.

Q. Do you mean a statement in writing?—A. Any statement of any sort. There is a question about that lock No. 1 stone, and I want to relieve myself of a certain amount of responsibility and blame attaching to it. When I received a notification from Mr. Parent that stone was to be cut for lock No. 1, I gave Mr. St. Louis and Villeneuve instructions to have that stone cut in Jacques's sheds, in Jacques's sheds proper, and have Nos. 1 and 2 sheds for the cutting of the Grand Trunk stone, and Nos. 2 and 3 for the finishing of the cutting of the stone for the new Wellington bridge. The first reason is that it would give me an opportunity of defining on sight where the stones were being cut, and would also give a man an opportunity on sight of counting or checking the men, and knowing for which work it was being done. But I was overruled in the matter. Stone were cut for lock No. 1 and for the Grand Trunk bridge in one and the same shed, and were so mixed up that no man could tell for which work it was being done.

By Mr. Archibald:

Q. You mean no man not acquainted with the sizes of the stone?—A. No man not acquainted. You have to be well acquainted and have experience as an engineer or a contractor, or a contractor's foreman to be able to decide from the way a stone was cut, whether it was lock No. 1 stone or bridge stone, whether it was rock faced ashlar or something else.

Q. The time-keepers would know for which work the stone was being cut?—A. Mr. St. Louis's time-keepers should know, and my time-keepers could only go through the sheds and count the number of men and in their judgment would define for which work it was to be charged. As to the question of that stone costing so much, if the stone for lock No. 1 was cut in Jacques's sheds, it is about three feet from the wall of the canal, and could have been transported from the sheds with derricks at very little expense and on to barges and brought down to lock No. 1; whereas under the circumstances in which it was cut, it had to be handled several times.

By Mr. Douglas:

Q. That is not what I am talking about. That handling is the extra cost as usual?—A. But then that will add to what you are talking about.

By Mr. Vanier:

Q. Did you not report on the progress of the work last winter to Mr. Parent?—A. Mr. Parent received instructions from Mr. Schreiber to send him weekly reports,

what we commonly call force account. Mr. Parent could not receive that information through anybody else but myself; and Mr. Parent knows that I was so much occupied on the work, and had so very little time, working day and night, that I was only able to make out two or three reports, and afterwards they were made verbally to Mr. Parent. Mr. Parent was on the work looking over it, and would ask me how many men were here and there, and told him to the best of my opinion.

Q. I see here a letter written by Mr. Parent to you on the 15th March, in which he says:—"I again draw your attention to the fact that a return of the force employed and the progress of the work, has not been sent in since the 18th ultimo."—That is nearly a month?—A. That is so. I say that I could not do it, I was too busy to do it. A man that is giving 18 hours' work outside, has very few hours to give to office work.

By Mr. Douglas:

Q. Who over-ruled your position with regard to the cutting of lock No. 1 stone, as to the place where they should be cut?—A. Mr. St. Louis, and it was proved here by the superintending engineer.

By Mr. Parent:

Q. Are you not aware that the order came from Ottawa?—A. They did not know in Ottawa where the stone was being cut?

Mr. McLEOD.—What are you speaking of?

Mr. PARENT.—There was a complaint made by Mr. St. Louis in Ottawa. His letter must be produced.

Mr. KENNEDY.—The letter about where the stone should be cut.

Mr. PARENT.—He was complaining that he had no chance to work properly, that he had to go from one shed to another.

Mr. KENNEDY.—That is the first I have heard of it.

Mr. PARENT.—He was there in Ottawa, and they ruled to let it be in one shed.

Mr. KENNEDY.—The stone was all cut in No. 1 shed, and was hauled afterwards into Jacques's shed and Jacques's shed was large enough to cut the stone in and leave it there, and then when the water was in the canal, to have it taken out and put on boats along side. He could not complain about room because there were sheds there unoccupied.

Mr. PARENT.—That was not his complaint, his complaint was that he wanted the stone together. He says the stone-cutters could not go from one shed to another, I do not exactly remember the whole letter.

Mr. KENNEDY.—One man will not dress a stone in one day, so it just as easy for him to walk over to Jacques's sheds at seven in the morning as it is to stay in the other shed.

By Mr. Archibald:

Q. Did you go to Ottawa about the month of October?—A. I did.

Q. What was the object of your visit?—A. There were several meetings of the mill-owners and manufacturers and those interested in the water way of the canal, as it was thought at the time that the water was to be let out in the months of December and January, to do these works. Mr. Parent was invited to attend those meetings. Mr. Desbarats was at one and I was at one. I think I was at the last meeting, which was held by the mill-owners in Mr. Ogilvie's office.

Q. After that a deputation went to Ottawa?—A. A deputation composed of Mr. Curran and Mr. Ogilvie, and I think it was Mr. Ogilvie who also asked Mr. Parent. I do not know whether Mr. Parent went through his invitation or Mr. Trudeau's, but I think it was through Mr. Ogilvie's. Mr. Parent and Mr. Desbarats and I had a conversation, and we decided that we would all go for the purpose of trying to dissuade the government from letting the water out of the canal in the months of December and January, and to have it let out in the months of March and April, in

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order to give the mill-owners and manufacturers an opportunity to get through their orders previous to the water being let out of the canal in the spring time.

Q. When you were in Ottawa did any one sound you as to whether you would take charge of the building of the Wellington bridge?—A. Mr. Curran, Mr. Ogilvie and Mr. Parent had an interview with Mr. Trudeau in Mr. Trudeau's office; I was not present. When they came out, Mr. Trudeau sent one of the officials, Mr. Mothersill, to me to ask me if I would accept the position as overseer and take charge of the work. I told Mr. Mothersill that I would, conditionally. Mr. Ogilvie came into Mr. Mothersill's office and found out what was going on, and he said: "Never mind the conditions, take charge of it; because if you take charge of the work, having such an interest in the canal in your position as superintendent, you will try to push the work forward in order to have the water in the canal on the first day of May." Mr. Curran said: No, that he should not try to influence me, that if there were any conditions I should know what they were before I started such an undertaking, that probably my position would be at stake—and I found out now that it is. Then Mr. Mothersill went back and reported to Mr. Trudeau, and Mr. Trudeau called for me and I went into his office, and Mr. Parent was present. Mr. Trudeau said: "Mr. Kennedy, we would like you to take charge of that work. We cannot force you, it is outside of your official duty; and how you are to be repaid, will be an after consideration." I found that out, too.

By Mr. Emard:

Q. It is now under consideration?—A. So I understand. Well, I told him I did not like to refuse. He said that it should not appear as a refusal, that he would not try to force me, but he would like very much that I would take charge of it, and he spoke at some length about our ability, Mr. Parent's, and my own, and he knew that if we would take charge of it, the work would be completed. Finally I consented to take charge of it.

Q. That was in the month of October?—A. Yes.

By Mr. McLeod:

Q. What bridge was spoken of then?—A. The Wellington bridge only.

Q. Nothing was said about the Grand Trunk?—A. Nothing said about the Grand Trunk. I am sure that the idea then was that the Grand Trunk Company were to build their own bridge.

By Mr. Emard:

Q. But the government paid for it?—A. I do not know anything about who paid for it. I know the work was to be done by the Grand Trunk Company for their own convenience.

Q. But the government had to pay for it?

Mr. ATWATER.—Not the superstructure.

Mr. KENNEDY.—At the time this bridge was spoken of first, I understood there was to be only a pivot pier built for the Wellington bridge. I also understood that a new bridge was to be built on the old pier of the Grand Trunk—No, I understood that the old bridge that was then in use for the Grand Trunk railway, the superstructure was to be extended on both sides, in order to meet the width of the canal.

By Mr. Douglas:

Q. To fix up the coping?—A. To fix up the coping to receive it, but there was no talk of a new bridge, or a new pier or abutments for the Grand Trunk bridge.

By Mr. Archibald:

Q. Did Mr. Trudeau have any idea that the overseeing of the bridge works was a part of your duty as superintendent of the canal?—A. Mr. Trudeau stated positively and explicitly that I had nothing whatever to do with it, and was at perfect liberty to refuse to take charge of it.

Q. What reason had you for being afraid of submitting to some conditions?—

A. Well, the conditions were that any man of common sense, or having any practical knowledge of public works, should understand that the work that was to be done on such a canal as the Lachine canal, at that season of the year, having a great many difficulties to overcome, and the work having to be done in such a short time, never knowing what kind of weather we would have, that man should have a certain amount of latitude, of freedom, in the management of the works, in order to enable him to carry it through within the appointed time.

Q. That is, you did not want to be bound by the strict regulations of the office concerning tenders and all that sort of thing?—A. Well, I do not know if I had the ideas of the office.

Q. I mean the government department?—A. Well, the instructions that Mr. Trudeau gave me in the presence of Mr. Parent, were these, and I felt somewhat surprised at the time, that Mr. Trudeau should express himself in such a manner and so openly in the presence of Mr. Parent; but I afterwards found out that there was a purpose in speaking so openly to me, that he did not wish to ignore Mr. Parent's position or ability in any way. But his instructions were that he expected that we should negotiate for all the plant and material that was requisite for the construction of the bridge, and that I would have full charge of the work, full control of the men and everything, with scope and freedom necessary, and that I should not be bound or have my hands tied in any way, in order to give me an opportunity of doing that work in proper time.

Q. You did not think you were going to be relieved of the superintendence of Mr. Parent as engineer, did you?—A. I did not. I felt, as I tell you, somewhat surprised at Mr. Trudeau's expressing himself in such a manner in Mr. Parent's presence; but at the same time I did not take any delight from Mr. Trudeau's expressions. I never felt nor wanted to be independent of Mr. Parent as superintendent of the Lachine canal.

Q. I suppose you never pretended to have any engineering skill, did you?—A. Never. I am no engineer and have no pretensions.

Q. You then returned from Ottawa, supposing that the work was to go on under those conditions?—A. I did.

Q. Then you prepared to negotiate for the material and issue some invitations to tender, did you not?—A. Yes.

Q. You did what you supposed to be in obedience to the instructions of Mr. Trudeau?—A. Yes. I talked all these matters over with Mr. Parent and Mr. Desbarats. There was no secret about it.

Q. At any rate you issued those invitations to tender, in your own name?—A. Yes.

Q. You did that under what you conceived to be the purport of Mr. Trudeau's instructions?—A. Yes.

Q. Almost immediately after that, Mr. Trudeau retired from the position of deputy minister of railways and canals, did he not?—A. Shortly afterwards.

Q. Who was appointed in his place?—A. Mr. Schreiber.

Q. Did Mr. Parent communicate to you shortly after that, on the 16th December, 1892 (the letter is read)?—A. Yes, I received a letter something to that effect.

By Mr. Vanier :

Q. Did the change of deputy minister have anything to do with the little difficulty that afterwards occurred?—A. It must have interfered materially with the work.

Q. Had a very bad effect?—A. It must have had. Mr. Trudeau had all the items of this work in his head, and the other man dropped in and did not know anything about it, in my opinion.

By Mr. Archibald :

Q. Now, on reception of this letter, these tenders were sent up to Mr. Parent's office here?—A. Decidedly.

Q. You did not act any further, then, upon Mr. Trudeau's instructions about the material after that?—A. I did not. At the time of the reception of that letter there were tenders invited for some classes of materials, I do not remember now; but Mr. Parent did not accept them, they were recalled. He issued invitations from his own office.

Q. That is in accordance with the habits of the office in ordinary matters?—A. Yes.

Q. Now, previous to that letter the tenders had been accepted by the department at Ottawa?—A. Yes.

Q. But the goods had not yet been delivered?—A. No.

Q. Then you proceeded with the work?—A. Yes.

Q. What was the first thing you proceeded to do for the building of the bridge?—A. I think the first thing we did was to build some derricks at the shops, and make stone-boats.

Q. By the way, in reference to the letter and to that remark in it in which you are called in question for having called for tenders which were not sufficiently definite and explicit as to length and qualities, from whom did you get your specifications for the purpose of calling for that tender?—A. From Mr. Desbarats, the then resident engineer of the work.

Q. He was connected with the Ottawa office, was he not?—A. Yes.

Q. And was sent down here especially for the purpose?—A. Yes.

Q. So if there is any blame about that it belongs to the department at Ottawa?—A. Yes.

By Mr. McLeod:

Q. Is that the identical specification you issued?—A. Yes.

By Mr. Archibald:

Q. Then you proceeded to do what work?—A. To make some derricks and stone-boats and dump boxes.

Q. To get all the plant ready that would be necessary on the works?—A. Yes.

Q. What time did you commence more active operations on the work itself?—A. I think about the first of March.

Q. How many men had you engaged about that time?—A. I think in the first days of March we must have had four or five hundred men on the Wellington bridge. I could not tell you the exact number.

Q. These were men you had engaged yourself?—A. Yes.

Q. At that time were you aware of any contract for labour?—A. The only contract I was aware of then being negotiated, was for the supply of stone-cutters and stone-masons, which started about the 8th or 10th January.

Q. Did you know there was in existence and actually signed, a contract for stone-masons at that time?—A. I think there was; yes.

Q. But for other classes of labour?—A. There was not any contract.

Q. You did not know them?—A. I did not know them.

Q. How many labourers other than stone-masons had you engaged in the first part of March?—A. There must have been, I suppose in the vicinity of 400. The remainder would be stone-cutters. I cannot give you the figures exactly.

Q. What wages were you paying labourers?—A. Labourers we were paying \$1.25 a day.

Q. In what kind of works were those labourers engaged?—A. They were engaged cutting ice, I think, and started the work of excavation of both abutments for the Wellington bridge.

Q. Had you started building any false works?—A. Yes; I think we must have had the temporary bridge in then.

Q. How did you first ascertain anything about the contract for this labour?—A. I heard through the office here that there were negotiations for such a contract, that is a contract for derricks and skilled labour. I then ascertained that there

were negotiations for double and single teams; and then I found out that Mr. St. Louis and Mr. Parent went to Ottawa, and I immediately found out that they had come to a decision to give Mr. St. Louis the supply of all the labour, pick and shovel men, and skilled labour and teams.

About when did you find that out?—A. It must have been in the beginning of March.

Q. Who told you that?—A. I think I got that information from Mr. Parent.

Q. Did you get a letter from Mr. Parent in relation to the subject?—A. The chairman just read one this morning, notifying me about skilled labour and pick and shovel men. I think there were several letters. There is also one that explains about double and single teams and derricks. Then there is another one previous to this, in the early part of the works, for the supply of stone-cutters and stones.

Q. Did you express to Mr. Parent your dissent from that plan of operation?—A. I think I did. I would never consent to give out a contract for the furnishing of common labour.

Q. Did you express that dissent to anybody else?—A. I did.

Q. How?—A. Well, I expressed it by a letter.

Q. To whom did you direct that letter?—A. I directed my letter to Mr. Curran.

Q. Have you got with you a copy of the letter?—A. I think I have.

Q. Will you produce it?—A. I will.

By Mr. Douglas:

Q. Did you meet Mr. Drummond about it?—A. Yes. I now produce the letter, dated Montreal, March 12th, 1893, and I will file a copy of this letter as C 75.

By Mr. Atwater:

Q. That letter addressed to Mr. Curran is dated the 12th March?—A. Yes.

Q. Now, will you take communication of the letter from Mr. Parent to you dated on the 17th February, and say if you received the original of that letter?—A. I do not remember.

Q. It is part of exhibit F 3 (reads the letter). According to that letter you had notification on the 17th February of that contract, did you not?—A. There is nothing mentioned there about pick and shovel labourers.

Q. No, there is not, but on all other classes it is mentioned, is it not?—A. Yes.

Q. I see you state in this letter addressed to Mr. Curran: "Imagine their trying to place pick and shovel labourers, whom I employ at \$1.25, at \$1.87½." Is that true? Did they ever try and place pick and shovel labourers upon you at that price?—A. There were men getting \$1.87½ that I could have employed at \$1.25.

Q. You say pick and shovel labourers were placed upon you at \$1.87½. Were they ever sought to be placed on you at that rate?—A. No.

Q. They were placed at \$1.50, were they not? (No answer).

Q. Is that the first complaint you made about it?—A. Yes, the first verbal complaint.

By Mr. Vanier:

Q. Did Mr. Curran ask you to write any letter on the subject?—A. Yes. I spoke to him about it first, and he told me I had better write a letter.

By Mr. Atwater:

Q. When did you first hear about the labour being given out by contract?—A. The first I heard about the pick and shovel men was in the month of March.

Q. This letter to you was dated on the 17th February?—A. Yes.

By Mr. Archibald:

Q. Did Mr. Curran give you any answer to that letter?—A. I think he answered by telegram.

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Q. Did he not write you a letter?—A. I am not quite sure.
Q. Will you look at a copy of a letter now shown you, from Mr. Curran, dated the 14th March? (Reads the letter from Mr. Curran). I will file this letter as C 76.

By Mr. Atwater:

Q. You make another statement in this letter of yours to Mr. Curran. You say that this will increase the cost of the work 75 per cent. Now, that statement is a little exaggerated, is it not?

Mr. ARCHIBALD.—I object to your interfering in my examination.

Mr. ATWATER.—I have a perfect right to question the witness with regard to statements made which are extravagant and wild.

Mr. ARCHIBALD.—You will have an opportunity of doing it.

Mr. ATWATER.—I want to take the opportunity now so that the thing may be cleared up at first. When he comes here and makes a statement and produces a letter on which he has made the statement that the cost of the work is being increased by 75 per cent, I want to find out if that is correct.

Mr. ARCHIBALD.—It may be an exaggeration.

Mr. ATWATER.—I know it is an exaggeration, and that is what I want him to state.

By Mr. Archibald:

Q. Do you know where Mr. Curran received the letter in person?—A. He received it here in Montreal.

Q. The reply was dated at Ottawa?—A. Yes.

Q. The House was in session at the time?—A. I believe it was.

Q. Did you have any conversation with anybody else relating to the matter almost immediately afterwards?—A. I had with Mr. Drummond and Mr. Curran.

Q. And with Mr. Ogilvie in Montreal?—A. Yes, I did.

Q. Did he advise you to go to Ottawa to see what could be done about it?—A. He did.

Q. What did you do upon that?—A. I went to Ottawa.

Q. Did you telegraph to anybody before going?—A. I telegraphed to Mr. Drummond and Mr. Curran. I went up to Ottawa and met them at the depot there, and I came right back to Montreal on the same day.

Q. When you went up, did you not intend to go to the Department of Railways and Canals?—A. I intended to have the advice of Mr. Curran and Mr. Drummond as to what I should do.

Q. And when you got there did they advise you, the three of them together?—A. They advised me to come back, because they had an interview with the minister and they told me to come back.

Q. In the course of coming down, did you have any conversation with them?—A. I did.

Q. Of what character?—A. Relative to the work.

Q. Relative to this particular feature of the work?—A. Yes.

Q. Did you tell them that you considered it a breach of the condition under which you had been employed to change the work?—A. I did, certainly.

Mr. ATWATER.—I do not want to raise any objections to this examination, or to these complaints or dissatisfaction of Mr. Kennedy. But I wish to say to the commission that what Mr. Kennedy's private views may have been, I do not think he took the proper course to lay them before the department who employed him, or before the government. If he had those views about the way in which the labour was employed, he should have represented them in a more proper and regular manner. He wrote to Mr. Curran. Mr. Curran is a member of the government, but he certainly has no connection with the Department of Railways and Canals, to which department Mr. Kennedy was responsible and accountable. But Mr. Kennedy appears not to have written any letter of complaint to Mr. Parent, who was his chief, and from whom he was to take his instructions. He never wrote any letter to

Mr. Schreiber, or he never made any complaints to the department. But he seems to have gone up and made private complaints to Mr. Curran and to Senator Drummond. I do not know that we can entertain these. How are we to know that Mr. Kennedy's complaints have come before the department. What has the complaint made on the train to Mr. Drummond or Mr. Curran got to do with it? If Mr. Kennedy had those views, let him show that he brought them properly before the department or before the proper officials. The commission can just as well hear Mr. Kennedy's evidence as to what he may have said to his wife with regard to his views as to the manner this work was being conducted, as you have to hear his views that he expressed to Mr. Curran and Mr. Drummond.

Mr. ARCHIBALD.—It appears to me that Mr. Atwater shows a remarkable amount of interest in the evidence that has been given. I certainly do not intend this evidence to cast any reflection upon the action of the government, it cannot cast any reflection upon the action of the government. Mr. Schreiber in his evidence here admits that Mr. Haggart was opposed to this system of doing the work, and I do not see how the government is to be affected by it. It is Mr. Schreiber himself who recommended it, and if Mr. Schreiber has done wrong, the government will inquire into his conduct. But I do not really see why Mr. Kennedy should suffer blame for what is alleged to be an over expenditure upon these bridges, when he shows that he himself was opposed to one of the principal means by which that over expenditure took place.

Mr. McLEOD.—Did not Mr. Schreiber say that the arrangement about the labour was decided before he came to office?

Mr. ARCHIBALD.—No, he said that he recommended it for certain reasons, because of the fear of strikes and that sort of thing; he recommended it to the minister, but he was bound to say on behalf of the minister that the minister agreed to it with considerable hesitation.

Mr. ATWATER.—That is Mr. Schreiber's evidence, but I may say this, Mr. Chairman, I have no interest in this matter further than seeing that proper evidence is brought before you. I have no objections to Mr. Kennedy showing in any way in his power that he was opposed to this particular system. The evidence that he gives here, stating that he was opposed to this system of giving a contract for labour, must reflect to a certain extent on the way in which the work was administered; and if Mr. Kennedy is going to state that he made complaints about it, I want him to show that he made those complaints in a proper and regular way.

Mr. DOUGLAS.—Mr. Drummond, in his examination yesterday, made assertions; and of course Mr. Archibald is at perfect liberty to question Mr. Kennedy as to whether the general assertions of Mr. Drummond are correct. I understand that Mr. Archibald wants to know the tenor of the conversation he had with Mr. Drummond on the train. Mr. Archibald did not object yesterday when Mr. Drummond was giving his evidence.

Mr. ATWATER.—Mr. Drummond said yesterday that knowing Mr. Kennedy personally as he did, he would have left the employment of labour with Mr. Kennedy.

Mr. DOUGLAS.—This has been a free commission, and he can give any evidence he wishes.

Mr. ATWATER.—That is true, but I suggest that these complaints of his have never been brought to the attention of the government.

By Mr. Vanier:

Q. In writing that letter to Mr. Curran was it not your intention that the letter should go further and be transmitted by Mr. Curran to some member of Parliament?
—A. Yes.

By Mr. Archibald:

Q. Did you express to Mr. Drummond and Mr. Curran on the train your desire to retire from all connections with the work?—A. I did.

Q. Did you want to retire from the work?—A. Well, I thought my hands were being tied to a great extent.

Q. You thought you could get no credit out of it?—A. Well, at the time I was not looking altogether for glory. I had gone on with the work through a considerable lot of trouble and hardship, and I did not like to have the thing taken out of my hands at that stage. I also thought that I would be held responsible, to a great extent, for the amount the work would cost.

Q. Why did you accept originally a work which you did not think belonged to you without any provision being made for remuneration?—A. Well, Mr. Trudeau spoke in such a strain when he requested me to take charge of this work, saying he would have to try some method or means of remunerating me after the work was done; and having such men of influence who were so much interested in the completion of the work, I thought probably they might exert themselves a little, or exercise their influence to have my salary increased. But it has not been done.

Q. Now, you stated in your letter that you thought the cost of the work would be increased 75 per cent. Now, as a matter of fact, the cost of the Wellington bridge was not increased anything like that extent?—A. No, not 75 per cent. I agree with Mr. Atwater there, that it was not increased. It could not be increased 75 per cent through the reason that letter speaks of.

Q. What other reason have you in your mind besides the mere increase of payment to the men?—A. I considered that according to that contract which was given by the Department of Railways and Canals, the increased cost, as well as the difference in the control that a man would have in my position having charge of the work, not paying the men themselves directly, and their being paid by another man, would add greatly to the cost of the work. Looking at it in this way—and it must be taken in that light—the increased cost by that contract for the supply of the men would increase the cost of the work 75 per cent. But that reason and the reason I am also stating here, of not having direct control of the men, would increase the cost of the work.

Q. Considerably?—A. Yes.

By Mr. Douglas:

Q. There would be two increases, the increase in the amount of the contract?—A. There would be two reasons for an increase, and a third increase might be added on to that—they had five men where three would probably do under their circumstances.

By Mr. Atwater:

Q. Was that done? Were five men put on where three would have done on the Wellington bridge?—A. They were, for those reasons.

Q. As a rule do you mean to say that?—A. Where they could have worked, yes; where three men would have done under the circumstances.

Q. Do you mean to say there was two-fifths more labour employed than was necessary on the Wellington bridge?—A. Under those circumstances.

By Mr. Archibald:

Q. Do you think that the fact that the labourers would know that more money was being paid for their labour than they were getting, would render them discontented?—A. They did, and in human nature that kind of a thing had an effect. They always find out where the pay is coming from.

Q. Those were the reasons why you thought, at the time you wrote that letter, that the cost would be so greatly increased?—A. Yes.

Q. Now, with respect to the Wellington bridge, you are of opinion that your statement in that letter was greatly overestimated?—A. Yes.

Q. I suppose you were a little indignant at the time you wrote it?—A. A little bit.

Q. Sometimes people use strong language when they are in that condition, do they not?—A. Sometimes; I generally do, unfortunately.

Q. Now, any remarks made there relating to Mr. Parent you have discovered are totally unwarranted, have you not?—A. I find that Mr. Parent should be held irresponsible for that contract.

By Mr. McLeod :

Q. For the labour contract?—A. Yes, sir.

By Mr. Vanier :

Q. How do you make that out?—A. Those negotiations, or the arrangement for that contract, I understand—

By Mr. Atwater :

Q. You do not know anything? Whatever you know, state.—A. I do know. I know that Mr. St. Louis went to Ottawa to the department, to Mr. Schreiber and to Mr. Haggart, and the contract was entered into between Mr. Haggart and Mr. St. Louis.

By Mr. Archibald :

Q. Now, what means did you take to secure the proper labour of the men and the proper care of the tools and implements?—A. I do not understand your question.

Q. I mean to say, what officer did you appoint to take charge of the men and of the tools, so as to see that no man got paid who did not work, and that the tools were kept on the ground?—A. I employed, in my opinion, the best men that could be found, and the most competent.

Q. What men did you employ, I mean foremen, or whoever were in charge?—A. Do you want me to give their names?

Q. Yes, give their names. I do not want all their names, I want simply the names of the men who had a general oversight of the workmen, your immediate assistants?—A. There was one there, Michael Kenny, foreman stone-cutter.

Q. What charge did you give him?—A. He had full charge of all the stone-cutting.

Q. What experience had he for that kind of work?—A. My opinion of him is that he is one of the cleverest men in that line in Canada.

By Mr. Douglas :

Q. He was not there all the time, was he?—A. No.

Q. How long was he on the Curran bridge?—A. I think he was there from the time they started, that is in the beginning of January until about the first of April. He left about the first of April to go to work for Hugh Ryan on the Sault Ste. Marie canal.

By Mr. Archibald :

Q. Then you employed another man about the stone named Doheny?—A. Yes, to measure the stone, and afterwards to assist Kenny in the cutting of the stone, and the preparing of the different thicknesses for the courses. He prepared a plan that they were guided by for the furnishing from the stone yard to the building, for the builders' benefit.

Q. What was his capacity for that work?—A. Do you mean his abilities?

Q. Yes.—A. In ability he is equally as clever as Kenny, one of the smartest in Canada.

Q. A good man for the purpose?—A. I could not have a better.

Q. Now, then, so much for the stone. What did you do about the time-keeping?—A. For the time-keeping I had a young man in charge, by the name of Coughlin.

Q. Who is he?—A. He works here with cattle shippers, he works for Nathan Kennedy and Bickerdike.

Q. What was his previous occupation?—A. He has been all his life time with those men as bookkeeper and clerk.

Q. What reputation does he enjoy as a bookkeeper?—A. First class, a smart, clever fellow. If the permanent time-keeper on the Lachine canal was not a competent man, he would have had that position.

Q. Then under Mr. Coughlin, what other time-keepers did you appoint?—A. There was one named Glenn; he had charge of the time-keeping at night time, with all the assistance that Coughlin could give. Coughlin has been with him all night sometimes.

Q. Glenn was to report to Coughlin?—A. Yes. Coughlin used to get out at night time and check the men.

Q. Then there was another man named Warburton?—A. George Warburton, James Davin, Glenn and Coughlin.

Q. A statement has been made by a man here that Glenn was frequently under the influence of liquor. What have you got to say to that?—A. I can say that that man made a false statement.

Q. Is Glenn a sober, industrious man?—A. A sober, clever man.

Q. Now, with regard to the honesty and uprightness of those men that you appointed as time-keepers, what have you got to say?—A. I have to say that I have not the slightest reason, and never had any to doubt that they were all conscientious and honest.

Q. Now, as regards the lumber. What means did you take to check the deliveries of that? Who did you first appoint?—A. I first appointed Coughlin for the lumber, under the supervision of McConomy, one of our experienced men, our store-keeper.

Q. But Coughlin did not have any ability as measurer of lumber?—A. He did some, not enough, as I thought.

Q. And McConomy was the man who measured it?—A. Yes.

Q. And Coughlin took the results of the measurements into his book?—A. Yes.

Q. After that Coughlin went as time-keeper?—A. Yes, and when a large amount of timber was being delivered that he could not attend to, we then got Mr. McKimbray, an experienced culler.

Q. What has been his experience as a culler?—A. I know him there by sight, not to be acquainted with him. He was working for Dobell, Beckett & Co., the largest lumber firm in the country, as a culler.

Q. You consider him an absolutely competent man for that purpose?—A. I do, sir.

Q. And did at the time?—A. I did. I am speaking of the man as I know him. If he has failed like a good many others in giving his evidence, I cannot be responsible for that. You may meet a man on the street in a casual way and he may be very nice to converse with, but when you get him before an audience, it unnerves him sometimes.

Q. Now, with regard to the performance of the work. What men did you principally rely upon for the day work, underneath you?—A. I relied principally on the men whose names I have mentioned, Kenny, Doheny and Pegnam.

Q. What was Pegnam's duty?—A. He was general foreman in the daytime.

Q. He was to oversee the performance of the work, was he not?—A. Yes, he was about the only man, he and Doheny were about the only men in whom I confided; that is to say, to tell them a few days ahead what I intended doing?

Q. What was Pegnam's experience for that work?—A. He is a man of great experience. I think he is now nearly forty years of age and he started out rail-roading at fifteen years of age, that would give him twenty-five years of experience. He started as a teamster railroading, and wound up with being a walking boss, and is a contractor now in Montreal.

Q. What large contractors did he work with?—A. He worked nearly all the time for Hugh Ryan & Co.

Q. Who are now building the Sault Ste Marie canal?—A. He is one of the largest contractors in the world.

Q. What have you to say about Ryan, who, I understand, was the man you put in charge at night?—A. Ryan was a very clever man, he had charge at night time.

Q. He is also a contractor, is he not?—A. He is a blacksmith by trade, and one of the best all round men there is on contract work.

By Mr. Atwater :

Q. Was he all round at night?—A. Yes, and part of the day.

By Mr. Archibald :

Q. Besides these men you had other foremen of gangs?—A. Yes.

Q. But these men, Pegnam and Ryan were over the whole?—A. Yes.

Q. Now, on the whole, do you think it would be possible for any contractor to have gathered together a better staff of foremen than you did upon that occasion?—A. Well, if a contractor was placed in the same position that I was, I doubt very much if there is a contractor in the country that could get together as clever or as competent a class of foremen as I had on the Wellington bridge, I know I would like to have a contract with the same men.

By Mr. Archibald :

Q. Would you say the same thing of the Grand Trunk bridge?—A. I knew but very few of them. The principal foreman, Trudel, is a first class man. The other foremen I did not know personally. These other men I picked up myself, knowing them personally, Mr. Ryan had been superintendent or walking boss for years with Rogers & Kelly, large contractors, and for Mr. Beemer about fifteen years ago. I worked myself under Mr. Ryan when we were working for Mr. Beemer.

Q. Of course a work like the Wellington bridge requires a certain amount of false or temporary work to be constructed in order to perform the permanent work?—A. In my opinion it did.

Q. An opinion has been advanced by some witnesses here that the false works in this case were more extensive than were requisite; now let us inquire into that. What do you think of the temporary bridge that was built? What was its purpose?—A. I think the work could not have been performed without that temporary bridge.

Q. What are your reasons for thinking so?—A. My first reason is this: When we started in first taking out the ice, we had one derrick on the centre pier back of the temporary bridge, and along with hauling the ice off the canal with teams, we also raised it out of the canal with this derrick as much as we could and keep the derrick working, and loaded it on to that temporary bridge and had it carted away. Now, if we had attempted to cart that ice over the regular traffic bridge, we would be continually blocked ourselves and we would be continually blocking the public traffic. Also, the excavation was done, to a certain extent, by being lifted out by that same derrick. The temporary bridge was a necessity, we could not have got along without it.

Q. Now, was that temporary bridge built more expensively than was necessary?—A. Not in my opinion.

Q. Did it require to be very strong?—A. It did.

Q. For what reason?—A. For the reasons that there were very heavy loads and weights to be hauled across that bridge; and very heavy loads and weights piled upon it. There were also two spans of about 30 feet wide, and these were put across the old cribworks, and about three feet above, in order that, as the work was progressing, and the teaming going over the temporary bridge, we could also have men underneath the temporary bridge tearing down that portion of the old cribwork.

Q. What would you estimate the weight of the heaviest load that actually went over the bridge?—A. I think we had some stones hauled in there of two and a half

tons weight; and probably at the same time that that load was passing over the bridge there would be several loads of clay or several loads of stone, backing and so on. There might possibly have been at one time on the bridge, 26 feet in length, or about the length of a wagon, 10 or 15 tons.

Q. Do you remember some heavy steam boilers passing over there?—A. I do.

Q. What was the weight of these?—A. They averaged about eight tons.

Q. Now, then, you say that the bridge was absolutely necessary?—A. It was; we could not have done without it.

Q. Now, what about the inclined runway?—A. That was for hauling the greater portion of the clay excavation from the bottom of the canal to the top. It could not be reached by derricks or lifted on top, which would have been a very expensive method. It was also used for hauling in a portion of the stone for the pivot pier, and for hauling in all the timber for the protection cribwork above.

Q. One of the items which has been most objected to was the platform on the south side of the canal. What was your reason for building that?—A. Because I could not get along without it.

Q. Why could you not get along without it?—A. Well, we placed a steam derrick on the platform and had a great portion of the stone and material needed for the pivot pier hauled in there and lowered down to the bottom, because nearly all the supplies and materials were going into the bottom of the canal at one time, that is to say, there was the excavation going on, there was the building going on in the centre, and timbers and stone were going in there, and the same for the two abutments; and if we had depended solely on the runway there would have been a continual jam. If I had had the freedom of both banks of the canal, I would have dispensed with putting that platform in there; I would have put a derrick on the bank of the canal, or on the tow path. The reason why I was compelled to put in that platform was, in the first place, because there was a width of the temporary bridge, there was the space of 100 feet long for the abutment, next to that was a space of about 100 feet where we placed a derrick, next to that was a large pile of clay where we would have placed another derrick, but could not do it. Then another reason might be because it would be too far away, and it would cost too much to cut the ice for the sake of building a platform. I was compelled to put a dam across the canal, and the bottom of the canal being so soft, and having to pile in so much timber to make a roadway; the further you went up the more expense, the more delay and the more trouble there would be. That is my opinion.

Q. Now, Mr. Beemer has given his evidence to the effect that he would have worked more from the top of the canal by means of derricks? What do you say to that?—A. I suppose there are no two contractors in the world who would go exactly the same way to work to perform any piece of contract work, no two men would have the same idea about it. When you question a man like Mr. Beemer or any other contractor, he speaks from his own knowledge, his own experience, and from his own point of view. I do not know that you could get any two men who would agree on the same plan. These men would have to be on the ground themselves previous to starting the work, and survey and take into consideration the actual situation and all the circumstances.

Q. Do you see any practical difficulty in the way of conducting the works as Mr. Beemer suggested?—A. If I were a contractor like Mr. Beemer, with the means and expensive plant that he has got, I would probably agree with Mr. Beemer's idea.

Q. Then you consider that it would require a more extensive plant to do the work according to Mr. Beemer's plan?—A. It would have necessitated a larger plant, and would probably have saved a lot of the temporary work that had to be put there. I consider that Mr. Davis's plan is the best I have heard of yet, but I would have to be in Mr. Davis's position and be possessed of the immense plant he has got, in order to do the work according to his idea. His idea was to put the derricks all above the surface, and run his material in by tramways, which would have been a great benefit, but we did not have tramways.

Q. Now, under the circumstances of the work as known to yourself, and with the obligation of doing it in so short a time, in your judgment was there any way of

doing it without the construction of the false works which you put in?—A. No, sir; in my opinion there was no way of dispensing with anything that was put in there in the shape of false works. If you have got a contract on hand that has to be finished in five or six weeks when it should take five or six months, you must resort to some very extravagant, and not the best means, possibly, to complete the work.

Q. Now, there appears to be quite a village of houses constructed on the bank; were these all necessary?—A. They were.

Q. Will you please state your view as to the necessity of so many; what were they for?—A. Some of them were put up as protection buildings for the steam hoisters that were behind the derricks. There were several blacksmiths' shops and the machinists' shop. There was also a tool house, and all contractors of any experience on public works will tell you that the hardest job they have had is to keep track of the tools. Then there was another building for the rubber boots, which is another very hard thing to look after and keep track of. Men working at night time will start in to work with a pair of rubber boots, and walk off with them when they are done.

By Mr. Douglas:

Q. Did they do that?—A. They did, but I did not catch them at it.

By Mr. Archibald:

Q. If you had been a contractor for that job, under the obligations to do it in the time you did, would you have done it in the same way as you actually adopted?—A. That is tantamount to the same question I answered a few minutes ago—I say, yes, I would resort to all the means and plans that I adopted.

Q. In looking back over the work you see nothing you could have saved consistent with the performance of the work in the time?—A. Nothing, in my opinion.

The further examination of this witness was adjourned.

The commission adjourned at 1 o'clock.

S. A. ABBOTT, *Stenographer.*

LACHINE CANAL INQUIRY.

MONTREAL, 7th August, 1893.

The commission met at 10 o'clock, a.m.

Present :

The Chairman, Messrs. Douglas and Vanier.

MR. E. KENNEDY'S examination continued:—

By Mr. Archibald :

Q. I notice in the newspapers a statement regarding too many men being employed at Wellington bridge, which seems to be a misunderstanding of what you said in your evidence in that matter. What did you mean by saying that too many men were employed?—A. I think I said on Saturday that first of all it was owing to men being paid by the contractor who were working under the superintendent.

By Mr. Douglas :

Q. The men being paid by the contractor and working under another head?—A. Yes.

By Mr. Archibald :

Q. Did you not have yourself control of the number of men you should employ?—A. I did.

Q. Did you employ any men whose services you did not think necessary to officer the bridge in the circumstances under which it was built?—A. In answering to some of the questions put to me, a false impression was carried to the public, and I may say that the excessive number of men employed, if it might be termed so, was also owing to the short time in which the work had to be completed.

Q. Then you mean that if you had longer time you would not have employed so many men at once?—A. Exactly.

By Mr. Douglas :

Q. He said if the contractor had paid the men, and if the witness had paid the men and had the men under his control, it would take only three men to do what it took five to do when the contractor was paying the men and another man was superintendent?—A. Yes; and in addition to that, when the work had to be completed in five or six weeks, an excessive number of men had to be placed there in order to have the work completed in proper time. It would not have entailed employing such a large number of men if three or four months were given. If the water had been let out of the canal on the first of December and let in on the first of May, no overseer, superintendent or contractor would be foolish enough to put on such a large number of men as were employed at any one time.

Q. On the Curran bridge?—A. On the Curran bridge.

By Mr. Archibald :

Q. But that number of men was not put on through political or any other influence?—A. Political influence had never anything to do with me as far as the employing or the conducting of the work was concerned.

By Mr. Vanier :

Q. Or municipal influence?—A. No, sir. I think there was only one alderman in the city who either wrote me a letter or asked me himself personally, and that is Alderman Nolan who asked me to put on one man.

By Mr. Douglas :

Q. One man swore here that nobody could get a job unless he had a letter from a member of parliament, an alderman or a priest, and that no English speaking man would have been employed had it not been for Ned Kennedy?—A. I stated just now that no political or municipal influence ever had any control over me.

By Mr. Vanier :

Q. And no religious influence?—A. No religious influence.

By Mr. Atwater :

Q. No pull?—A. Yes, I had quite a pull. The only person to whom political letters were sent, as meant by that man, was Mr. St. Louis himself. That man was a stone-cutter. I think his name was Bishop. I was not here when he was giving his evidence, and do not remember this man Bishop, but probably would know him if I saw him; but I think in reference to the stone-cutters and stone-masons who were placed on the works through political influence, that influence was used by Mr. St. Louis. I never objected to any one, and I know that all English-speaking men who were put on the work were put there through myself personally, because some of those men I knew personally, as they had worked for me before on other work, and I knew when the time would come when we had to do work quickly, I could depend on them. They knew me and I knew them.

By Mr. Vanier :

Q. Did you put any Irishmen on the work?—A. I did. Do you mean as stone-cutters? I put on French Canadians too, and Italians and Germans.

By Mr. Archibald :

Q. Did you have a number of Italians?—A. Yes.

Q. I do not suppose they had much political influence?—A. No, they did not have any, and did not try to exercise any.

Q. There has been some talk with regard to your favouritism to English-speaking persons in your general administration of the canal?—A. In connection with my general administration of the canal, seventy-five per cent of the men employed on the Lachine canal have always been French-Canadians, and should be to-day, if they have not revolutionized all the men since I left.

Mr. VANIER.—No such question has been brought before the commission at all.

Mr. ARCHIBALD.—I have heard the remark made, and thought opportunity should be given Mr. Kennedy of saying that he had never discriminated against French-Canadians in the appointments upon the canal.

Mr. VANIER.—That question of race is perfectly ridiculous.

Mr. ARCHIBALD.—I think it is, and for my part, there is no man who more thoroughly believes in the principle that a good man, of whatever race he may be, ought to be employed to do the work without any regard to his race.

Mr. KENNEDY.—That question of race arises from the evidence given by that man Bishop.

Mr. ARCHIBALD.—Coming back to the subject of political influence, you have stated that under the circumstances in which the works were done, and the false works made, you were not governed by political influence?—A. I have stated that.

Q. Have you prepared a statement showing what would be the cost of the Curran bridge under the estimated cost of quantities made by Messrs. Schreiber,

Beemer and Davis respectively?—A. I have been working on an estimate for the last eight or ten days, and worked all yesterday afternoon, until a late hour this morning, and I think, if I kept working without intermission for another week, I would always find something.

Q. I am speaking of what the cost would be, under the estimates I have given of the different quantities of the material used. That only refers to the permanent work in the bridge. Have you got that estimate completed?—A. Yes.

Q. Have you got it with you?—A. No, sir; but I think what Mr. Archibald means is, have I got the quantities for the number of yards of excavation for the pivot pier, the number of yards of clay for the two abutments and the number of yards of masonry for each of the different works. I could get you that in half an hour. Do you mean the exact quantities?

Q. What I want is an approximate estimate of what the work would cost, under the values put upon the quantities by the gentlemen I have named.—A. Do you expect me to put a figure of my own on what those did cost or should cost?

Q. That is another point. In the meantime, I want to know what it would cost, according to their estimate. You have been asked, with regard to your hauling stone from Terrebonne instead of having it brought by the cars. You have stated that that was due to your desire to get the stone quicker than you could rely upon getting it by the cars.—A. I stated that.

Q. What do you do, in order to get Mr. Delorimier, the contractor, to furnish this stone for you?—A. I did not do anything with him personally.

Q. What did you do then?—A. I reported to Mr. Parent several times in writing, and almost every day verbally.

Q. I notice a letter from you to Mr. Parent, of 13th of March, 1893, which reads as follows:—"I wish to call your attention to the fact that you should compel Mr. J. B. Delorimier to send in the balance of the stone to complete our abutments, about one-half the full amount of coping for the pivot pier. We have a derrick and six men, waiting from day to day, expecting this stone, as well as a number of stone-cutters idle." Is that the letter you sent to Mr. Parent?—A. Yes.

Q. I see another letter from Kennedy to Parent, of 28th March:—"I beg leave to inform you that of 107 pieces of coping required for the centre or pivot pier of the Wellington bridge, to be furnished by J. B. Delorimier, we still require about 40 pieces. Mr. Delorimier to-day stated, and verbally informed the foreman of the stone-cutters, Martin Connolly, that he thought on Tuesday next he might be able to furnish some stone. Now, you are aware that on the latter part of December, Mr. Delorimier protested us for not being able, in his opinion, to receive the stone as he furnished it. With the view of our being able to complete this pier by Saturday next, I am going to assume the responsibility of taking steps the first thing to-morrow, Wednesday morning, to get the stone myself, so that the completion of the work shall not be retarded in any way." Do you remember that letter?—A. I do.

Q. Now, you state here that Mr. Delorimier said he would be able to get to the stone on Tuesday next. That would be of course Tuesday after the 28th of March?—A. Certainly.

Q. What day of the week was it you wrote that letter?—A. It must have been Tuesday, because it states to-morrow, Wednesday.

Q. So that Mr. Delorimier only offered to get you stone at the expiration of a week from that day?—A. Yes. He stated so to the foreman.

Q. Now I see that on March thirty-first, you wrote another letter to Mr. Parent, as follows:—"I beg leave to notify you that, as I promised, both Mr. Schreiber, the deputy minister, and yourself on Wednesday last, that masonry of the pivot pier of the new Wellington bridge would be completed and ready for the first of April. I now inform you that the said pier was completed to-day, Friday, March thirty-first, eighteen hundred and ninety-three, save the coping for which I have already notified you that the stone necessary should have been supplied by Mr. Delorimier by the fifteenth of February last, and is not yet forthcoming. But as I have already notified you, I am attending to the furnishing of such stone as required. It would be well for you to inform the deputy minister of the state of affairs at once, as I have already

done so, through another channel. You wrote this letter and sent it to Mr. Parent?

—A. Yes.

Q. Now the forty pieces of coping stone to which you referred in this letter are the pieces which you carted from Terrebonne?—A. Yes.

Q. I notice that you state in one of your letters that you had stone-cutters remaining idle for want of that stone. I understood from you yesterday that in carting this stone, you had partly in view the putting of these men to work at once to cut it?—A. Exactly.

Q. Now, taking in view all these considerations, the delay that would probably have been caused by using the railways, the construction of the derrick of which you have spoken, and other things, the comparatively small quantity of stone required, the idleness of the stone-masons in the meantime, do you think that the method you took was much, if any, more expensive than it would have been to have waited to bring the stone in the cars?—A. You are speaking of the time, having it at the same time?

Q. In any event?—A. In any event, it would cost more bringing it in by team, than it would by rail.

Q. But you concluded to do that, in order to save time?—A. Decidedly. You could never get it in by cars as quickly as by teaming.

Q. Besides that, you got it in piece by piece, by teaming, whereas you would have had to wait for a train of cars to get it altogether on the cars?—A. Yes.

Q. And your stone-cutters would have remained idle?—A. It would have cost the quarry men at the quarry much more to prepare that species of stone, in such a short time, than it would have to bring it in by rail.

Q. After you notified Mr. Parent of your intention to provide for this stone yourself, did you receive any dissent from him?—A. I received a letter, I think, telling me to be careful about the responsibility, that my responsibility would be his, but verbally, he approved very much of what I had been doing, and stated himself that Delorimier could not furnish the stone.

Q. Did not Delorimier afterwards say that he was unable to furnish the stone himself?—A. He stated to some of my men connected with the cutting of the stone that he did not complain of Kennedy going to get it, because he could not furnish it.

Q. I noticed by the letter of instructions to you from Mr. Parent, dated the 17th of March, the following clause: "With further reference to my letter number thirteen thousand three hundred and seven, *re* labour to be supplied by Mr. St. Louis for the works at the Grand Trunk and Wellington street bridges, in connection with the above, I wish to draw your attention to the fact that apart from three derricks which the contractor will erect, if we have not enough on hand for him we must supply him with the necessary plant, tools and appliances, to enable him to carry on his work, such as lamps, chains, oils, shovels, picks, pumps and derricks. Mr. St. Louis will be held responsible for all such plant, and, as in the case of the staff men, you have, under my direction, supervision of the force supplied by him, which he has engaged himself at any rate he may make, as previously stated. The staff of the permanent repairs and special men shall have preference for employment, etc." Who is the person referred to as the contractor there, where it says: "You must supply the contractor with tools and appliances, to enable him to carry on his work."—A. I would infer that it is Mr. St. Louis.

Q. As a matter of fact, did you supply Mr. St. Louis with the plant, tools and appliances, chains, oils, shovels, picks, etc?—A. Yes, with everything except derricks.

Q. What do you suppose a man contracting for the supply of labour alone, would want with picks, shovels, and derricks? Is that the way he found the men?—A. No, sir.

Q. It looks very much like as if he was the contractor for the performance of work, does it not?—A. It does.

Q. Did you take any account of the different articles which were supplied to Mr. St. Louis, for the work upon the Grand Trunk bridge? Did your storeman make any list?—A. Yes; they have strict instructions from me, from the beginning

Mr. Parent?

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to the end, to keep track of everything that went out on the work in the shape of tools, and so on.

Q. Are you aware whether they did so?—A. I am sure they did.

Q. Can you produce a statement of the different plants, tools, etc?—A. I can.

Q. Have you got it with you?—A. No, sir.

Mr. DOUGLAS.—What percentage was returned?—A. I can give a statement of the exact number returned.

Q. What percentage was returned on the Grand Trunk job?—A. I never made a calculation to be able to answer that question, as to what percentage of tools had not been returned that were delivered.

Q. Was a greater percentage returned on the Grand Trunk than on the Wellington, or *vice versa*?—A. I never made a comparison. I can say there has been a very large percentage of tools, etc., in connection with the work which cannot be accounted for, on both bridges. That I am sure of, because there has been a lot stolen and carted away.

Mr. EMARD.—Better produce the original documents?—A. Even if I did not have the original documents, I can give you a statement of the amount of tools that were on the work at the last day of April, or the first of May, and you can find out from the account of those who delivered the supplies what the discrepancy or difference is. In fact I think I can give you a satisfactory statement of what was delivered to both bridges, and what is on hand.

Q. I presume you are going to take your figures somewhere?—A. Decidedly, I cannot guess them.

Q. I want the originals?—A. Anything I take my statements from I will produce with the statement. I am perfectly satisfied to show up everything. It is no crime to any one to find out there is a loss or discrepancy in tools, because that is common in all work.

Mr. ATWATER.—Is that loss any greater here than on other work?—A. The loss of tools depends greatly on the location of the work. If you are charged with railroad work which is going through a wilderness, there is no one there to steal the tools or take them away. You can sometimes find a man mischievous enough to throw his hammer into a ditch where it will not be seen, and save himself the trouble of carrying it with him; but if you have a piece of work to do in such a locality as that of the Wellington bridge, where on both sides there is a poor class of people, the general run of labourers residing around there, a man on the works may probably carry home a pick or a shovel, or a pair of rubber boots, and I am sure many of them did. Passers-by might go at night time and find a pick or shovel lying around and carry it off. In a place of that kind, a much larger percentage of tools is lost than on a railway.

Mr. VANIER.—Were the tools stamped?—A. They were all marked. The shovels and handles were stamped with the letters, "L.C.," and the pick handles and the crow-bars were similarly stamped.

By Mr. Archibald:

Q. Mr. Henderson has stated in his evidence that he received instructions from Mr. Desbarats with regard to the kind of timber which would be acceptable under Henderson's contract; were any such instructions given in your presence?—A. Yes.

Q. Will you state what they were, as far as you heard them?—A. Well, all the details with reference to the inviting of tenders, in connection with the permanent work, were given by Mr. Desbarats, and there were some changes made afterwards, with regard to the quality of timber, that is to say, he allowed certain changes to be made for the cribwork, allowing Mr. Henderson to supply spruce and hemlock, instead of pine, on the ground that it was equally as good under water; and, owing to his having allowed Mr. Henderson such privileges, that if Mr. Henderson, as a timber contractor, would meet him half way he would do the same. I am sure that is the remark he made.

Mr. DOUGLAS.—Do you mean to say that Mr. Desbarats had any power to allow any changes from the original contract?—A. I should think he had. I am certain he had, as a resident engineer in charge of the work.

Q. I never heard of it?—A. Of course, I am only giving my opinion.

By Mr. Archibald :

Q. I suppose at any rate, after the letter which was communicated to you, written by Mr. Schreiber, referring to the fact that he was surprised, Superintendent Kennedy should have been allowed to have anything to do with obtaining supplies, you invited no further tenders?—A. Decidedly, I invited no tenders after that. It was taken out of my hands.

Q. Coming back to the subject which has not been sufficiently dealt with, I think that you yourself asked for tenders for the supply of stone-masons and stone-cutters?—A. I did.

Q. Why?—A. Because I always considered that holding the contractor responsible for the supplying of that class of labour was, in my opinion, the proper thing to do, for this reason, that at the time of building the masonry and cutting the stone, in the months of March and April, particularly about that time of the year, stone-cutters and masons are very busy. A lot of work is given out in spring time, and they are an independent class of people, having labour organizations which control a certain price, and it would have placed us in a very awkward position, owing to having work to be done in such a short time. If the contractor had the supplying of the labour, we would only have to look to him and hold him responsible for all the stone-cutters and masons required.

By Mr. Eward :

Q. Have you a copy of the invitation for tenders?—A. It must be here.

By Mr. Vanier :

Q. From whom did you ask tenders?—A. From Mr. St. Louis, Turner & Co.

Q. Those are the same tenders as those we have?—A. No, sir. And Peter Lyall. There were five altogether. The other two I do not remember at the moment. At any rate when those tenders were received by me, I sent them to Mr. Parent's office. It was at, I think, the time that Mr. Schreiber issued instructions to Mr. Parent that he had charge of all these things, and I was not to call for tenders, and then Mr. Parent invited other tenders. It was then that Rose & Trottier were asked to tender. These are men I never saw, or knew, until I saw them here giving evidence.

By Mr. Atwater :

Q. When Mr. Parent issued the other invitations, did he recall yours?—A. No, but previous to my receiving the tenders from those men, Mr. Parent's letter of instructions from Mr. Schreiber was sent to him, which took the thing completely out of my hands. The tenders were sent to Mr. Parent's office, and he either issued other invitations or accepted the ones that were received by me, and issued others to Rose & Trottier.

Q. As far as you know, the invitations you sent out stood?—A. No, I do not believe they did stand.

By Mr. Douglas :

Q. Did you receive personally any reply to those?—A. Those that I sent invitations to, their tenders were delivered to me, and I handed the answers over to Parent.

By Mr. Archibald :

Q. And after that other invitations were sent out?—A. I am sure of it, because Rose and Trottier I did not know at all.

By Mr. Douglas :

Q. Do you not think that if you put an advertisement in the paper, that twenty-five per cent higher than summer rates for stone-cutters would be given for piece work, you could have got all you wanted?—**A.** That is a question I cannot answer definitely. It would be only guess work. I could not answer that question, taking it in the point of view of being last fall.

Q. During last winter, were there not plenty of stone-cutters idle?—**A.** I know now there were, but it was an exceptional state of things.

By Mr. Archibald :

Q. So that in December, you thought it was advisable to contract for stone cutters and stonemasons?—**A.** I did.

Q. But in March, I find, when you wrote your letter, you did not make any distinction between stone-cutters and masons or anybody else?—**A.** No; because I had two or three months' experience, and found out that stone-cutters and stone-masons were plentiful.

Q. As a matter of fact, what was the percentage of difference between the ordinary market price for the different class of labour employed upon the Wellington bridge, and the price paid the contractor? What loss occurred in the construction of the Curran bridge, from the giving out the contract to a contractor to furnish the labour?—**A.** I think the easiest and most accurate way of getting at that is to find out in the accounts here what was paid Mr. St. Louis by the government and then find out from Mr. St. Louis' books what he paid his men, and get the difference.

Q. It is perfectly evident that to the ordinary estimated cost of the work of this kind, ought to be added any additional cost paid to labourers above the market value.

Mr. DOUGLAS.—We have got Mr. Ogilvie's statements of what he paid last winter, and during the summer; that is the only statement we have got.

Q. I want to put it in such an intelligible way that the commission and the public may understand it.—**A.** My opinion now is that the question you want me to answer is this: You want me to say what, in my opinion, the bridge would have cost, in labour, had the government not given out this contract for labour.

By Mr. Vanier :

Q. How much less would you have spent if you had engaged the labour yourself?—**A.** I cannot tell exactly.

Mr. ATWATER.—Your letter states it cost seventy-five per cent too much on that account.

Mr. ARCHIBALD.—Not on that account alone. He has already stated that he finds by experience that was grossly exaggerated, but with his exceptional ability, care and diligence, he prevented the loss which might have occurred on the Curran bridge.

Mr. ATWATER.—Let Mr. Kennedy state now—

Mr. ARCHIBALD.—That is just exactly what he is going to do.

A. I cannot try to wriggle out of anything or change anything. If you will read Saturday morning's evidence, you will find in my answer there were three classifications.

Q. What was the fair value, in your judgment, of ordinary labour during last winter?—**A.** You could employ men last winter from a dollar to a dollar and twenty-five per day, for labourers.

Q. One dollar twenty-five was the full value of labourers and you could get all the men you wanted at that? What would be a fair value for foremen?—**A.** Foremen over clay excavations, what we call "common foremen," to take charge of a gang of men, as they had to do there, from two dollars to two dollars fifty per day.

Q. The foremen over stone-masons?—A. That is an exceptional man. I speak of the men I had there. One man was getting four dollars a day and another five dollars.

Q. Were stone-cutters the same thing as masons?—A. About the same. These are not the prices paid by contractors for ordinary work. I had to take out the best in the city in my opinion, the most skilled ones I could find.

Q. For ordinary foremen, which a contractor would employ, what was the market rate of wages?—A. From three dollars to three dollars fifty per day.

Q. What was the market rate of stone-cutters last winter?—A. What Mr. St. Louis paid would be the market rate.

Q. Do you know what that was?—A. I think from two dollars twenty-five to two dollars fifty per day.

Q. And stone-masons about the same?—A. Yes.

Q. There is an item here of skilled labourers outside of all these mechanics, which were, under the contract, at eighteen and a half cents per hour. What class of labour does that schedule represent?—A. It represented all the men who were handling the stone with crow-bars, and the derrick men.

Q. And what would be the ordinary market rate of wages for these men?—A. If I had the contract myself I would have employed those men at one dollar twenty five per day.

Q. What would be the fair wages of carpenters?—A. No carpenter had work there, except the permanent staff, and with very few exceptions, I think all went in as skilled labour.

By Mr. Atwater:

Q. What would be the ordinary rate paid them?—A. One dollar fifty to one dollar seventy-five. I am speaking from the experience of last winter, and the rates men would be glad to get work for at that season of the year. The same men are probably working elsewhere at fifty per cent more.

Q. What was the ordinary rate for single carters last winter?—A. \$2.

Q. For double carters?—A. \$4. Remember when I am giving you that figure I am giving you that rate for the teams which we had to employ there. You could get teams for \$3 to \$3.50 per day which would not suit us. We had to get the biggest and heaviest teams we could for that kind of work, the roads were so bad, and the hauling of stone was so heavy.

Q. Will you make an approximate statement showing the difference between the labour account on the Wellington bridge resulting from the act of the labour being employed by contract instead of being employed by you?—A. I would require to have the time lists here.

Q. In the meantime, I would ask you why you addressed the letter which you produced on Saturday to Mr. Curran?—A. So that he would communicate directly with the government much quicker than any other man that I knew of, he being so much interested in the bridge.

Q. He was the member for that constituency?—A. Yes, and he was the man who exerted himself the most in order to have that bridge constructed for the accommodation of the public, and in my opinion, if there was any excess of cost in connection with the bridge, he would probably be held to blame, to a certain extent, for it. No doubt even now he will have to make some explanation in connection with it, not only before the commission, if called, but before Parliament.

Q. Did you think it would be proper for you to address this directly to the department at Ottawa?—A. No, I did not feel at the time, and neither do I feel now, that it would have been judicious for me to address the department directly, for one reason, that it would show I was totally ignoring Mr. Parent, my superior officer in Montreal, in writing such a letter over his head; and also I thought then, and think now, that if I addressed the department directly, I would not have got much satisfaction, because they would think it was for Mr. Parent to make such a complaint.

Q. Did anybody ever make any effort to appoint other time-keepers than you had appointed for the Curran Bridge?—A. Yes, at the time that Mr. St. Louis's con-

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tract was extended allowing him to put in pick and shovel men at one dollar fifty per day, he wanted to send time-keepers there to take the men's time, so that there would be a double staff of time-keepers to take the time at the Wellington Bridge, and I protested verbally against it, because if the time-keepers I had were not efficient or trustworthy I wanted to discharge them, and allow Mr. St. Louis to put in his time-keepers. He wanted to put in the two sets, and I protested to Mr. Parent about it verbally, and he agreed that there should not be a second set of time-keepers put on.

Q. I suppose, these bridges being near together, you would sometimes see how the work was being done on the Grand Trunk bridge, would you not?—A. Well, although they were pretty close to each other, I was so much occupied on the Wellington bridge, that I did not pay much attention to what was going on at the Grand Trunk bridge until I was compelled to do so, through the verbal instructions of Mr. Schreiber, deputy minister, in the latter part of April.

Q. At any rate, so far as you could see, who seemed to be controlling the work on the Grand Trunk bridge?—A. Mr. St. Louis.

Q. Who was the head foreman?—A. A man named Trudel.

By Mr. Vanier:

Q. What was Henri Frigon doing there?—A. He was working in conjunction with Trudel.

Q. What were your regulations for the payment of your men as to times of payment?—A. When we first started the work, with a view to trouble, in my experience, which any contractor will corroborate—the trouble about men asking for pay—the rule always had been on the canal that the men would be paid about the middle of each month, and they would have to wait a month for their pay, so with that view, I had a notice to that effect posted all around the works, but after St. Louis was awarded the contract, he paid every two weeks, or nearly so.

By Mr. Archibald:

Q. What was the object of your rule relating to monthly payments?—A. It was the rule of the department in the first place, and secondly, I was glad, under the circumstances, that there was such a rule, for this reason, that we were sure to get the first six weeks work fully out of the men, they would not have any money to drink, and there would be less trouble, because when the men are paid every two weeks, they will often go to the contractor and get their time, whenever they feel like it, and then get liquor, and there would be no end of trouble.

Q. So you think the regularity of the men's attendance would be greatly promoted by the rule of monthly payments?—A. I do.

Q. Was your opinion confirmed by your experience?—A. Yes, it was.

Q. Is it an injury to the work to have your men changing frequently?—A. The greatest injury possible, on public works, because just as soon as you have got a gang organized it is like starting a new job every day when you have to change men. Myself and my foremen know the trouble we have had, and I was compelled to be there every morning at half past six, and even at six o'clock, in order to be prepared to organize whatever men would be there, to replace those who did not show up.

Q. You were asked whether you had made requisition on Mr. St. Louis to furnish the men?—A. I never did make requisitions on him.

Q. Why not?—A. If we were short of men, at half past six or seven in the morning, or half past twelve or one, in the afternoon, or at night, if I had to wait to go to the office and make a requisition, and then go and hunt up Mr. St. Louis we would be many a day without work.

Q. I understand that men were always on hand ready to be employed?—A. Yes, there were always men on hand.

Q. And I suppose men would be standing around the canal, looking for work?—A. Yes.

Q. Perhaps these were the men some people talked of as loafers?—A. I know there was a great deal of criticism at the time the work was being done, throughout the city and elsewhere, about our having a large number of men loafing around, but as far as I am concerned, the foreman on the Wellington bridge works can be brought here to testify as to the precautions we took to prevent loafers hanging around.

Q. You cannot complain of the contract system, so far as you are concerned, by saying you had engaged men that were not fit? Did St. Louis give you improper men?—A. I am not complaining that St. Louis gave me improper men, because I secured the men myself who came there. We could not run through the city after him.

Q. You exercised all the prudence you could in the choice of the men you engaged?—A. I did.

Q. When you engaged them, they went on the pay-list under St. Louis's contract?—A. Exactly.

Q. St. Louis was quite aware, of course, of what you were doing?—A. Yes, he was around there very often.

Q. With regard to the contract for timber, had you any instructions as to the person from whom you were to get that timber?—A. I think there is a letter on record from Mr. Parent, informing me of the different merchants to whom the contracts for the supplying of the different materials in their lines were approved of by the department.

Q. I find a letter of the 24th of October, from Mr. Parent to you, in which he says: "I beg to transmit you herewith for your information and guidance, copy of departmental letter No. 89680, dated 20th instant, re purchases of such stone, timber and lumber as may be required for the construction of the superstructure of the proposed new Wellington bridge across the Lachine canal." That is not the letter you refer to?—A. No, sir.

Q. Did you get a letter from Mr. Parent, notifying you that Mr. Henderson was the successful tenderer for the lumber required for the Wellington bridge?—A. Not quite sure whether Henderson's name was mentioned, but I know there was such a letter.

Q. Do you remember the letter?

MR. PARENT.—I think in a general way. Look at the letter of the 10th of January.

Q. Was that an estimate of the quantity of lumber required for the bridge, or was it the exact quantity?—A. An estimate of the quantity.

Q. How did you understand Henderson's tender for the lumber? Did you understand it to refer to the amount estimated or to the lumber which would be required in the construction of the work?—A. Which would be required.

Q. And you read the tender as a tender for all the lumber on the prices given in the tender?—A. Decidedly.

By Mr. Douglas:

Q. Do you mean that it applied to the temporary works as well as the permanent?—A. Yes, and at the time Henderson was awarded the contract, it was not known that the government would build the Grand Trunk bridge. Therefore his contract was very much increased.

By Mr. Archibald:

Q. It was not even known what the depth of water would be?—A. No, there were two changes made as to the depth during the progress of the works.

Q. You considered the tender to cover all the timber required for the construction of the works, whether permanent or temporary?—A. Yes.

By Mr. Douglas:

Q. The quantities are made out for the permanent work?—A. Yes, and the invitation for tenders calls for permanent and temporary.

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By Mr. Archibald:

Q. I see that the letter of the 24th of October, 1892, referring to that of Mr. Parent to you, uses the following expression: "Such stone, timber and lumber as may be required for the construction of the substructure of the proposed new Wellington bridge, across the Lachine canal." That letter is in accordance with what you believe, namely, that the tender should cover all the works, is it not?—A. Exactly.

Q. Were you present when Mr. Parent gave evidence on that point?—A. I was present once. He said, he also considered it covered whatever lumber would be required for the execution of the work.

Q. As a matter of fact, how was the timber ordered from Henderson?—A. It was ordered principally by myself as the work went on, through myself and Mr. Desbarats.

By Mr. Vanier:

Q. For both bridges?—A. Yes, because in the letter read here this morning from Parent to Kennedy it is stated that St. Louis is to be supplied with materials for the construction of the Grand Trunk bridge.

By Mr. Atwater:

Q. That is, you had the buying of all the materials, and the ordering, and the control of what was ordered?—A. Yes.

By Mr. Archibald:

Q. From time to time, as you saw timber was required, you gave further orders on Henderson Brothers?—A. Yes.

Q. And as to the supply for the extension work in connection with the Grand Trunk bridge, if I remember rightly, the old protection crib on the Grand Trunk bridge was not to be taken down. There were little extensions to be made on each side, such as pile driving, but latterly, when changes were made, the old cribwork was taken down, and new cribwork built, larger than the old?—A. I spoke to Parent and he said Henderson had the contract, and it was only fair he should supply both bridges. Mr. Henderson spoke to me and I told him to go to Mr. Parent. Mr. Henderson told me several times, and so did Mr. Parent, that Henderson Brothers were to go on supplying all necessary timber.

Q. Did you ever order from Mr. Henderson, or any other merchant, one article which, in your judgment, was not necessary for the completion of that particular work?—A. Never.

Q. What instructions did you give to the culler, with regard to the precautions to be taken in receiving the timber?—A. I ordered him to be very careful that all the timber delivered was of the proper dimensions and quality, the same as indicated in the carter's ticket, that he was to measure it, and be careful about the dimensions. I know that Mr. Henderson delivered some timber which was rejected by Mr. Desbarats, and had to be replaced.

Q. Did you order him to take a memorandum of the different measurements in a book?—A. Yes, I ordered him to keep track of everything.

Q. Have you ever had any reason to call in question the correctness of the work of any of your timber cullers in that matter?—A. No, I do not remember that I ever had, except on one occasion, when Mr. Henderson came to me and told me that Trudel had been to his place, and asked for a certain lot of timber, of special dimensions for the Grand Trunk work. I asked him if he had ever done so before, and he said, yes, he had received orders from Trudel before that for timber, and I think from somebody else—Joe St. Louis, I think it was. I did not say anything to Mr. Henderson about it, except to inform him that he was never to deliver any timber under such orders, and I went immediately to where McGinley was working, and remonstrated with him pretty severely for allowing such a thing to be done

without my knowing it. He said he had track of everything delivered there, and ordered by Trudel, and did not think there was any harm.

Q. McGinley said he had kept track of the things delivered to Trudel directly?
—A. Yes.

Q. And you forbade him to do that again?—A. Decidedly. I was very much surprised to find out such a thing. Mr. Henderson gave me the information innocently. He did not know there was any blame in the matter, or that I would have been so strict.

Q. Were you ever present when the cullers were measuring and receiving the timber?—A. I was.

Q. Were you satisfied with the way they did it?—A. I was. There may have been times when I was dissatisfied, and I made remarks at the moment, but there was no serious dissatisfaction that I remember.

By Mr. Douglas :

Q. McGinley said he had instructions to merely measure the lengths of the timber, and not bother about dimensions?—A. A man who has any practical experience in the measurement of timber, just as soon as he gets the length of his tape line, should be able to tell, almost at a glance, the number of feet, board measure, or cubic feet in that stick.

Q. Could any man tell by his eye, whether a stick was twelve by twelve or not?
A. Yes, he should.

Q. Could McGinley?—A. I know he could. I saw him do it.

By Mr. Atwater :

Q. You saw him measure with his eye?—A. I may tell you that he measured the lengths with a tape line and to tell the other dimensions with his eye.

By Mr. Archibald :

Q. Any competent timber culler could tell at a glance?—A. Decidedly.

Q. How can a rock foreman, who is cutting out rock, tell a gang of men where to put down a hole?—A. He tells from his experience. If that pit is six feet he tells the man to put down a hole four feet, and he does not measure that with his rule, but with his eye. A good, competent foreman—I have done it myself often—can tell to the half-inch the depth of a bed of stone. How can a man walk through a timber yard at St. Patrick's park, where there would be a lot of eight by twelve or ten by twelve,—he could not go over all that by the rule, to find out what there was.

Q. When you were suspended were any reasons given you for your suspension?
A. None.

By Mr. Atwater :

Q. Had you a written communication?—A. The first intimation I had about it was on the street. It was quite current a few days before I knew it myself. The first intimation I had of it was on Saturday afternoon, 13th of May, when I received a telephone message at the Wellington bridge office, to be at Mr. Parent's office at 2.30 in the afternoon, to meet Mr. Schreiber. I went there, and Messrs. Schreiber, Parent and Douglas were present, and I was notified by Mr. Schreiber that I was suspended. I asked for what reason, and he said he did not have any reasons. I said: "Surely there must be some cause." "Well," he said, "that the stone-cutting for lock No. 1 was not stopped at the proper time," and he asked several questions. I did not give any explanations, but I made the remark that if there was to be an investigation, that would be the proper time to answer those questions. Then I asked for my suspension in writing, which he did give. Mr. Parent was suspended at the same time.

By Mr. Archibald :

Q. Did Mr. Schreiber say anything about having seen in the newspapers that there were some thirteen hundred men employed at the Wellington bridge?—A. He did make that remark. I do not think that they should have gone by the newspaper reports as to the extra number of men there.

Q. The pay-lists for the month of March were in long before the 13th of May, I suppose?—A. Yes.

Q. So that Mr. Schreiber was in a position to know how many men were employed on both these works?—A. I think that report in the department must have appeared some time in February.

Q. So that Mr. Schreiber had an opportunity of confirming the truth of that report, or the contrary, long before the 13th of May, when he suspended you?—A. He said here in his evidence that he communicated with Mr. Parent immediately, and Mr. Parent no doubt sent him the information he required.

By Mr. Atwater :

Q. Did you see that report in the newspapers?—A. I did.

Q. What newspaper?—A. I thought it was the *Star*, but Mr. Schreiber said he saw it in the *Gazette*.

By Mr. Archibald :

Q. Did you say on that occasion to Mr. Schreiber anything referring to his not having been there in the beginning to see what difficulties had been encountered?—A. I made the remark that afternoon, and made it almost every time he came to the works, that it was too bad he was not there to see the difficulties we had to overcome or counteract. I told him I would like he had been there when we were having trouble with our cofferdam, the water bursting in upon us.

Q. You thought he would then better understand the difficulties?—A. I am sure he would. No man can have any idea of the difficulties we had to overcome, who was not there at the time.

Q. He would not be so disappointed at the cost of the work had he seen the difficulties?—A. I do not think he would. I was going to state, a moment ago, that I am greatly surprised this investigation has been allowed to go on almost to the close without my having been asked a certain question, and one which I probably never would be asked, if I did not bring it up myself. It is this: Do you not think it was somewhat surprising that when Mr. Parent, the superintending engineer, and myself, the superintendent of that work, were ordered to go on with that work by Mr. Trudeau, in his office at Ottawa, the plans and specifications and estimates were not brought before us, and gone into, and every detail examined, and that we should not get our instructions with reference to the minutest details of how that work was to be performed? Would you not also think that Mr. Schreiber, when he succeeded Mr. Trudeau, would have done the same thing, and go very minutely into the matter, not only for the information of those in charge of the works, but for his own information, and also note every detail of the work, as it progressed, and all the changes in the works? Then those men would be able to arrive at an idea of what the work should cost. Did I know at the time that that work was to cost \$175,000 or \$250,000? I was never asked any question and never got any direct instructions about how the work was to be constructed, but, in the progress of the work, everything done by me was approved of by the department and by Mr. Parent, on whom no more blame should be thrown for the extra cost of the work than on myself, because we were three men in charge of the work, and we carried it out in a way on which the three of us agreed verbally, whatever other disputes we might have had.

Q. Do you know that when Mr. Schreiber appointed this commission it was not to investigate himself?—A. I like to explain everything in its fullest detail. I am not trying to drive out any one.

Mr. ATWATER.—We want to know what the excessive cost amounts to.

Mr. DOUGLAS.—The department did not appoint this commission; it was appointed by order in council, signed by the Governor General, and Mr. Schreiber had nothing to do with it.

Mr. ARCHIBALD.—Except his letter.

A. The original estimates, I am told, are placed at \$175,000. Mr. Schreiber stated here in his evidence that if he were the contractor he would do the work, and in his opinion it should have cost \$250,000. The fact of the difference between \$175,000, the original estimate, and Mr. Schreiber, the chief engineer's opinion, which is \$250,000, is plainly itself an excess. There is an excess there. I do not know the exact figure which the bridge has cost, but it is slightly in excess of \$250,000. I do not for one moment mean that it cost more than it should have done.

By Mr. Atwater:

Q. When you say the bridge you mean both bridges?—A. Yes.

Q. I would ask you this: When you use the term "excessive cost" you do not mean it in the sense that the work cost more than it should have done under the circumstances, but an excess over what the work, as originally contemplated, would have cost?—A. Yes.

By Mr. Archibald:

Q. There has been a good deal of evidence here that a very large quantity of material has disappeared from the works. I want to know what means you took to provide against such disappearance.—A. I had several watchmen appointed.

Q. Please tell me what the names of the watchmen were?—A. I could give you the names of some but not of all. One of them was George Poitras.

Q. What was he supposed to be the watchman of?—A. Timber and lumber on the works there.

Q. Was he a night watchman or a day watchman?—A. He was a day man. There were about five or six during the day around the work and the same number at night.

Q. Did you put anybody in charge of the tools?—A. Yes, there were tool boxes distributed, made out of three-inch planks with an inch board covering, and under lock and key, at the different points around the work, and then there was a tool caretaker in the warehouse, or the tool house, as we called it. He had an assistant who went around the work with the tool boxes, and any tools he saw lying around not being used at the time were carted by him to the different tool boxes, and if there was an excess of tools at any one time he took the first cart he got and brought them back to the tool room. We did everything possible to look after the tools.

Q. You instructed him to do that?—A. Yes, I instructed all the foremen, too, to look after the tools of their men.

Q. And, notwithstanding that, a quantity of tools disappeared?—A. A quantity of tools disappeared for the reasons I have given.

Q. Do you know at present anything further you could have done to have prevented the theft of tools?—A. I could not have done anything more than was done. In fact, if I had to do it over again, I do not know that I would do as much.

By Mr. Douglas:

Q. Do you know that there was lumber carted away, in spite of your watchmen?—A. Yes, I heard there was.

By Mr. Archibald:

Q. After your suspension, Mr. Henderson speaks of having been with you when he saw a load of lumber leaving the works?—A. I was driving up home. It must have been nearly two weeks, if not more, after I was suspended. I was driving along Wellington street, and Mr. Henderson was standing at his office door. I pulled

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into his yard and chatted with him there for some time. I saw a team passing along William street, with five pieces of round timber, which I recognized as having been used in some of our temporary works. I recognized it from the fact that I saw pieces of plank, what we call "cleats," spiked on to the end. I came around by Seigneurs street bridge, and Mr. Scanlan was with me, who had worked on the Wellington bridge. I allowed the teamster to go on to the corner of McCord street, and made Scanlan get into my buggy, and followed him with the horse. We followed him to No. 83 Barre street.

By Mr. Douglas :

Q. It was old creek timber?—A. It was new timber that had been supplied by Henderson Brothers.

By Mr. Archibald :

Q. Was that the only timber which you have a personal knowledge of having been removed since your suspension?—A. I have heard a great deal about timber being taken away. I did not pass Wellington street bridge until about three weeks after my suspension. When I left there, on the 13th of May, the park was completely covered with timber, out to Wellington street, on the other side of Wellington bridge, almost blocking the road. As I stated, when I passed there three weeks afterwards, I thought an earthquake or a cyclone had taken place.

MR. ATWATER.—The timber had disappeared.

Q. Was it large timber?—A. Yes.

By Mr. Archibald :

Q. Are you not aware that some of the timber was put into the cribwork?—A. I allowed for all that.

Q. You do not know that the timber was taken away, but you only know that it disappeared from that place?—A. Yes, and I have been told, and Mr. Henderson can furnish the names of a good many parties who can testify to the timber having been taken away. I am sure there has been an immense quantity of timber taken away from there.

By Mr. Atwater :

Q. Of considerable value?—A. Certainly, stuff that can be used in canal works.

Q. What did you do about that particular load?—A. I did not do anything.

Q. You did not inform the department?—A. No.

Q. Did you speak to the men?—A. No, Scanlan spoke to them. Cannot say whether Scanlan told me this man got permission from somebody or not. Do not remember now.

By Mr. Archibald :

Q. That timber remaining over, was it timber practically of the same value as it was before it had been used?—A. Decidedly. The timber that was left over was timber that had been used in the temporary work, and would be just as valuable as if it had never been used. Its market value, was not diminished, in my opinion, because it was just as good timber to build cribwork as if new.

By Mr. Emard :

Q. You could not sell it at the same price?—A. No, but that is not the question.

Q. It would not have the same market value?—A. No, but it is equally valuable for the work of the government.

By Mr. Archibald :

Q. Supposing, for example, that Mr. Henderson himself received an order for that particular class of timber, would it be an objection that it had been used before?

Could he not have delivered that timber? Would it not be satisfactory to fill the order?—A. It would be satisfactory to fill the order, but Mr. Henderson would get it at much less cost than what he paid for it. It was of as much value to the government, as it was when new.

By Mr. Atwater :

Q. Do you consider that there were more men employed than necessary on the Wellington bridge?—A. I did not say that.

Q. I thought I understood you to say, in your examination in chief, that five men were employed, under the system adopted, where three would have done?—A. Yes.

Q. How do you reconcile that with your statement?—A. Did I not explain that? I wish to hear what I have said before on that point. (Witness objected to answer until he had an opportunity of seeing the explanation he had previously given on that point).

Q. Do you mean to say that, if you had been a contractor on this work, you could have done the work which was done on the Wellington bridge and superstructure, with three men, where as a matter of fact five were employed?—A. That is practically the very same question over again.

Q. Do you decline to answer that until you hear your explanation read?—A. I want to have the explanation I made to the question read to me, and if there is nothing in it to make it plain, I will add what is required.

Q. I wish you would add it now?—A. You have put me on record that I have declined to answer that question, and now I want to hear what I have said read to me, before I answer it. That is only just to myself.

By Mr. Archibald :

Q. Because there is a difference of opinion as to what you have said?—A. Yes.

By Mr. Atwater :

Q. Your explanation could not have been entirely clear, and you may as well state it now?—A. I want to see the evidence I gave on that point, in justice to myself. Remember I have not been prompted in my answers by Mr. Archibald or anybody else. I have never been prompted by anybody to make a statement in reply to any question.

Q. I would not suggest that Mr. Archibald prompted you to say anything. How many men actually were employed on the Wellington street bridge?—A. I do not remember.

Q. About how many men?—A. I could not tell you.

Q. You have stated already that three hundred more men were employed there than you considered necessary for the work to be done?—A. Yes.

Q. Did you pay any attention to the work as it was being done on the Grand Trunk bridge?—A. I paid very little attention to it, I was so busily employed on the Wellington bridge.

Q. From what you did see, what is your opinion as to the number of men employed there?—A. I thought there was more men employed than was really necessary.

Q. Were there more men employed there in proportion than on the Wellington bridge?—A. Yes. Remember I am answering those questions from the general running of the work and not from figures. I cannot tell if there were one thousand on the Grand Trunk bridge and nine hundred on the Wellington bridge at any time. I am speaking of the general run of the work.

Q. You were as much as anybody else on the work. You are superintendent of the canal, and although you may not have assumed the overseeing entirely of the Grand Trunk bridge, still I asked you as to what you know of the work done there. You signed the pay sheets of the Grand Trunk bridge?—A. I did.

Q. At what periods were they brought to you?—A. At different periods.

Q. Did you notice at all how many men were being employed on the bridge when the pay sheets were brought to you?—A. I did not.

Q. Did you just certify them without corrections?—A. There have been corrections made, I believe, several times. I certified those accounts solely on the report of our time-keepers, Coughlin and Glenny.

Q. Of your own time-keepers or the time-keepers on the Grand Trunk bridge?—A. Our own. They did not take the men's time, but only counted them.

Q. You never took an account of the number of men who were put on the pay sheets. Did it strike you that the number of men on the pay sheets was excessive?—A. Well, I cannot say that I ever went into the details of the time list. I left that to the time-keepers. I know Mr. Atwater wants to try and have me contradict evidence I gave before. If I contradict evidence given before, I will not be responsible. I am perfectly satisfied to answer any question put to me directly in connection with the work.

Mr. DOUGLAS.—Mr. Kennedy made the assertion that he had nothing to do with the Grand Trunk pay-lists, and signed them on the strength of Coughlin's check.

Mr. ATWATER.—Kennedy states there were too many men on the Grand Trunk bridge. I want to know if it ever struck him, when certifying to the pay sheets, that the number was disproportionate to the work?

Mr. DOUGLAS.—He said in his main examination that he never paid any attention to the number.

Mr. KENNEDY.—Mr. Atwater wants to know why it was, when I thought there were too many men on the Grand Trunk, I certified to the accounts which showed too many men.

Q. No. I am asking you when these pay sheets of the Grand Trunk bridge were submitted to you to be certified, whether it struck you that the number of men employed was too large?—A. I have said twice before that I thought the number too large.

Q. Did it strike you when the pay-lists were brought you to be signed?—A. Nothing more than the pay-lists, for the glance I gave over them, corresponded with the number on the work.

Q. Did you make any statement to the department, or office in Montreal, about the number employed on the Grand Trunk?—A. I never made a written statement.

Q. Did you make any verbal statement?—A. Often to Mr. Parent, and very often to some of Mr. St. Louis's men, because contractors came on the work, and different people passing by, who would look at the Grand Trunk work, and tell me there were more men there than were really necessary. Now, Mr. Atwater, your own judgment will tell you that Mr. St. Louis had the full supplying of men, and also control of the running of the work on the Grand Trunk bridge, and it was not at all to be surprised at—if I were in his place I would do the very same thing—that he would put on as many men as he could.

Q. In what shape did you put your complaint to Mr. Parent about the number of men employed on the Grand Trunk bridge?—A. In a verbal way, from what I had seen occasionally, having occasion to pass there, or from what I had been told.

Q. When was it you spoke to Mr. Parent first?—A. I could not tell exactly.

Q. Was it early in the work?—A. Yes.

Q. During the first part of March?—A. It must have been.

Q. When was it you went to the Grand Trunk work yourself?—A. In the last days of April.

Q. And how many men did you find employed there then?—A. I could not tell you the exact number.

Q. Did you find too many when you went on it yourself?—A. I want to finish answering the other question. The first time I went on the Grand Trunk bridge was when Mr. Douglas was there himself. The exact date I do not remember. They had trouble with their caisson, could not get the pump and boiler to work, and said that we sent them one which was no good purposely. Trudel was in charge of the work and gave it up. Mr. Douglas authorized me to take charge of it and go on with it. When I went on it caused a little friction between Trudel and myself.

Mr. Douglas:

Q. I requested you. I did not authorize you.—A. Mr. Douglas authorized me. I am not looking for work by request, not work of that kind.

By Mr. Atwater:

Q. He ordered you?—A. He ordered me to go and take charge of the work, and that created a little friction, as Mr. Douglas will remember, between Trudel and myself that night. I took over two or three men with me and we got the pump right to work, and had the caisson ready the following night. Then I met Trudel and explained the thing, and I told Mr. Douglas I thought it better to put it in the way of directing the men than to be taking charge of the work. Trudel went back to his work again, and went on with it.

Mr. ARCHIBALD.—Trudel was angry that you interfered with his job?

By Mr. Atwater:

Q. Were there too many men then in proportion to the work?—A. At that time, I do not remember whether it was before or after Mr. Schreiber was down, because I know Schreiber told me there were too many men and too many carts at the Grand Trunk bridge and insisted that I should go there occasionally, and when I would find too many men I was to put them off. I said you or some other men might come here to the Wellington bridge and say the same thing about the number there. No, he said, I find the men employed here are not too many. This was his own remark.

Q. But he said there were too many on the Grand Trunk bridge?—A. Yes; and he ordered me to go there several times, and when I would find a number of men not working I was to discharge them.

Q. Did you do that?—A. I went several times. I never discharged any directly myself, but drew the foreman's attention to the way the men were working. I remember on one occasion, seven men were using crowbars on the bottom of the canal, trying to tear out a piece of old cribwork timber which was bolted together. I drew Mr. Douglas's attention to it, and said Mr. Schreiber's instructions were, if any men were not needed, to put them away. I said they need not be put away, but could be set to work in such a way as to do it better. I told Trudel to order two of them to get picks apiece.

Q. Did he do that?—A. Yes.

Q. Their labour was being misdirected?—A. Yes.

Q. Did you ever tell Trudel, or any of the other foremen to discharge any of the men?—A. I did.

Q. On how many occasions?—A. Not very many occasions.

Q. Were your orders carried out?—A. Sometimes they were, but not always.

Q. Who was responsible?—A. I think Trudel was. I do not know if he was working under other instructions.

Q. Was it Trudel always you told?—A. No; I told Villeneuve, the time-keeper, sometimes.

Q. Were they discharged when you told Villeneuve?—A. They were not discharged, but were turned around to other work.

The commission adjourned.

E. J. DUGGAN, *Stenographer.*

E. KENNEDY, recalled, and deposed as follows:—

By Mr. Douglas:

Q. Look at exhibit C 29½ and state if you agree with those prices of Mr. St. Amand for \$8 a yard?—A. I notice here one item of 60 cubic yards of stone in the quarry not removed by Mr. Kennedy, \$2.50 per cubic yard. I never agreed to anything of that kind. There is a witness named Quinlan who went out there, and knows about the details in that contract.

Q. Did you make the agreement in price, or was there any agreement made?—A. No agreement was made at the time. I went there to get stone in a hurry, and he asked \$2.50 per cubic yard for stone on the ground, and then extra charges added to that, and having to work on Sunday.

Q. These extras would probably bring it up to \$8 a yard. That is \$150 for stone not removed, as he states?—A. This is all the stone we received. He swore the other day that the greatest part of this stone had been sold to others.

Q. The only objection to the account is that \$150?—A. Yes.

Q. Did you agree to pay these men and horses?—A. Those are men and horses that he employed himself to strip the stone which we needed and ran over his quarry.

By Mr. McLeod:

Q. Did you say the account was correct?—A. No; there is one item, 60 yards that he has charged, that was not delivered.

Q. It is correct except that?—A. Yes.

By Mr. Douglas:

Q. The bargain was \$2.50 a yard, except those large stone?—A. There was no bargain made at the time. It was the understanding that the price should be something like that. But there were extra charges, owing to the haste and the time at which it was being done. They worked on Good Friday and Saturday and Easter Sunday.

By Mr. Archibald:

Q. You were asked yesterday to produce certain statements relating to the construction of the Wellington street bridge. Have you them with you?—A. Yes. I produce as C 79 an exhibit describing the ice excavation, the clay excavation for the abutments and for the centre pier of the Wellington bridge, the masonry for the centre pier, the north and south abutments, ballast walls and parapet wall. Then there is a description of the timber for the temporary bridge and all the timbers connected with it; a description of the timbers for the runway from the north side of the bank to the bottom of the canal; a platform for the derrick; platform and roadway in the bottom of the canal and across to the south side at the west end of the cofferdam; foundation platform for derricks on the bottom of the canal; temporary runway from the canal bank to the ice surface at Wellington bridge and to the Wellington basis from Jacques's shed; cofferdam or caisson for centre pier excavation; oak sheeting around the caisson; tongued and grooved sheeting around the caisson; extension to caisson and upper slope dam across the canal, and all lumber and timbers used in the buildings in connection with the work; temporary roadways on the north side of the canal in front of the Ogdensburg Coal and Towing Co.'s yard. Then there is the cribwork for the Wellington street bridge, the timber and lumber used in the footing for the centre pier, and the cribwork for the Grand Trunk bridge. Now, all the timber specified in this foregoing statement does not include any of the lumber, timber, &c., in any of the buildings or false works used on the Grand Trunk railway bridge. Neither does it include the lumber and timber used as stringers under the floors, posts, lintels, cross ties and rafters in the building used in connection with Wellington street bridge works; neither does it include any

of the oak used in the dumping boxes, stone boats and foundation timbers under the hoisting engines; nor the inch boarding used in the temporary fence, and for the side panels used at Jacques's flour sheds to protect the stonecutters and workmen from the weather; nor does it include any of the three-inch plank used when the weather moderated and softened, for St. Patrick's parks, so that we had to make temporary roadways to get our stone up near; nor the three-inch plank used for scaffolding around the centre pier and abutments; nor the three-inch planking or timbers used to make runways or slips and excavation for the cribwork above the centre pier; nor the three and one inch stuff used in mortar boxes, cement and sand chutes, carpenter's trestles, tool boxes, &c. Then there is new unused timber remaining on the works, such as braces for poles, oak piles, pine piles, oak plank, three-inch plank, one-inch boards, also the round and flatted timbers.

Q. There is a statement of the quantity on hand?—**A.** There was a statement made up in the latter part of April. That enumerates the quantities. We have made it to the best of our ability.

Q. Why did you not include the various amounts of timber used in the matters mentioned on page 14, which you have just recapitulated?—**A.** Because we did not have time.

Q. Would you be in a position, with time, to make a reasonable estimate or approximate estimate of the timbers used in those various works?—**A.** Yes.

Q. Now, I want to call your attention to the estimate of the amount of masonry as shown on 2nd page—masonry in the abutments of the Wellington bridge as shown on 2nd page of the exhibit you have just produced, C 79, namely 1,890 yards. It is stated here that the abutments did not diverge from the bottom.

Mr. DOUGLAS.—Mr. Papineau states that the batters started from the bottom of the old wall.

Mr. KENNEDY.—The stone battered from the top of the old wall to the bottom of the old wall and then ran out on a batter, top to bottom, two inches to the foot. The stone ran outside the old wall. That is the face batter.

By Mr. McLeod:

Q. We are not talking of the face batter but of the stepping up of the stone. Do you mean to say it did not run out longer than the old wall?—**A.** Mr. Papineau is right. The masonry abutment was perpendicular to the bottom of the old wall and then was stepped off on each side. The masonry of the new abutments was perpendicular at both ends from the bottom of the new abutments to the bottom of the old wall, and then stepped in to the old wall to the top.

By Mr. Archibald:

Q. Did it step in on a regular incline?—**A.** No, an irregular incline. Sometimes you would have to take out a stone three feet long, probably on one side and it may be four feet six inches long on the other.

By Mr. McLeod:

Q. Mr. Papineau would be the best judge of that?—**A.** No, I think I am the best judge, because I stood on the ground all the time and would take out the stone where necessary.

Q. Have you got a sketch of it?—**A.** No, I depend on my memory.

Q. Mr. Papineau would have the measurements, would he not?—**A.** He ought to have.

Q. If Mr. Papineau has the measurements his information would be the most correct?—**A.** There was work done in the checking of that stone in the abutments that I do not think Mr. Papineau took measurements of.

Q. Not to any great extent?—**A.** I remember that when we got within four or five feet of the north abutment on the east end, the stone was so small and so light a bed, and the backing was small and crumbled so much, that we had to take out those stones and take proper stones to replace them eight or ten feet.

- Q. That was feasible on the face before the water was let in?—A. All feasible.
 Q. And Mr. Papineau could show that at any time?—A. At any time, yes.
 Q. He could take notes of it in making his measurements?—A. Yes.

By Mr. Archibald :

- Q. Now, on the second page of this exhibit C 79, you have estimated the size of these abutments—dimension of the abutments, 68 feet at bottom, by 100 feet at the top, averaging about 84 feet mean length. Did you take into account the fact that this abutment rose perpendicularly for a certain distance in making that average?
 —A. Yes.

By Mr. McLeod :

- Q. The area is very much larger down below?—A. Yes, certainly, because it is wider at the base.

Q. So that the mean of the top and bottom would not be anything at all like a correct statement of the cubic contents?—A. I am speaking from the lineal point of view to start with.

Q. But it does not give a correct estimate of the quantities?—A. We are taking the average length and the average width, and the average height.

By Mr. Archibald :

- Q. Now, what was the depth below the old side wall of the canal that this abutment went?—A. I think it was nine feet.

By Mr. McLeod :

- Q. The wall would be plum at each end for nine feet?—A. Yes, running with a batter of two inches to the foot on the face of the canal.

By Mr. Archibald :

Q. I want to find out whether you still think that this measurement is a true representation of the amount of masonry done in those abutments. Would you please calculate it, beginning by calculating the portion that was below the old side wall of the canal, and then doing the portion that was above?—A. Mr. Doheny, who has charge of the stone work, assisted us, and the way we calculated that was this: We first averaged, to the best of our knowledge, the quantity of stone as to the average dimensions, and then checked those by the amount of stone that was cut for the abutments, which was about the best way we could calculate, by having the exact measurements of the face stone that was used, and then we averaged the width of the backing in the masonry. We did a lot of figuring.

Q. Did Doheny have a statement of the amount of face stone that had gone into the work?—A. He had.

Q. And did your estimate correspond with the stone that you found to have been used?—A. Yes, it did.

Q. That is to say, estimating the actual amount of the face stone that was used?
 —A. 1,890 yards for the abutments would be a fair proportion of this stone and backing stone.

By Mr. McLeod :

- Q. That is the total quantity?—A. The total quantity in both abutments, that is to say, 945 yards in each abutment.

By Mr. Archibald :

- Q. That corresponded with your measurement estimate?—A. Yes.

By Mr. McLeod :

Q. It could not possibly be more than the actual measurement of the contents.

Mr. ARCHIBALD.—No, but the fact is that this raking was not at all regular and the only question is how great the irregularity was, whether it was sufficient to make it as if it had gone up from the bottom.

Mr. McLEOD.—The effect of narrowing the wall would be very much less as the wall came up, and the irregularity would be of less effect as you got towards the surface.

Mr. KENNEDY.—There was more stone taken out coming up near the top than there was at the bottom, because at the bottom the old wall was of a heavier stone, and as we came to the top, they were lighter stone with a very narrow bed, and were backed up with very light stone which had to be taken out. In fact when the backing was touched at all it would be cleared out, and stepped off sometimes to a length of eight or ten feet at one end, that is, to within six feet of top where the wall was very thin so that what we would gain by having a straight wall to nine feet at bottom, we came near losing it at the top.

Q. What was the extreme length of the top of the wall where you bonded with the old wall?—A. I do not think any plan can be produced that would give a correct estimate. It would have to be approximate, and a calculation from memory, the way those abutments were built.

Mr. DOUGLAS.—The first nine feet would not be approximate, but afterwards it would.

By Mr. Archibald :

Q. Will you please state how this exhibit has been prepared, who assisted you in its preparation, and from what data was it prepared?—A. Mr. Doheny and Mr. Scanlan.

Q. How did you proceed in its preparation?—A. Mr. Doheny was interested in the masonry, that was part of his charge.

Q. Did you all calculate and estimate, or did one of you calculate?—A. We all estimated and checked one another as though we were working separately.

Q. To see whether your work agreed or not?—A. Exactly, and if there was any difference in the figures we checked each other as surely as though we were tendering for a contract.

Q. Now, will you please state what is the total result as far as regards the timber used in the work, with the exception of that which you mentioned a moment ago, resulting from your calculations?—A. All the square and flat timber that was used on the works amounted to 484,672 feet, board measurement; all the three inch planks amounted to 737,731 feet, board measurement; all the oak amounted to 11,088 feet, board measurement; the one inch boards amounted to 118,575 feet, board measurement. This is a recapitulation of the quantities that have been used in the temporary works of the Wellington bridge, that I am reading now. I am calculating about one-third of those amounts for lumber and timber used in the Grand Trunk railway bridge, temporary works. All the amounts I first read out are for the temporary works used on the Wellington street bridge. What I am now going to read out is our calculation of the timbers used for the temporary works of the Grand Trunk railway bridge. Square and flatted timbers, 161,557 feet; three-inch planking, 249,960 feet; oak, 3,696 feet; one-inch rough boards, 39,525 feet; all these are board measurements. Now, then the Wellington street bridge crib: 628,200 feet square and flatted timber, board measurement; foundation under the centre pier, square timber, 11,880 feet; three-inch planks for the same, 12,150 feet, board measurement; square piles used, 101,640 feet, board measurement. These were hewed and driven in by steam. Mr. Henderson furnished the timber. For the Grand Trunk railway bridge cribwork there were used 176,232 feet, board measurement, square and flatted timber. Now, we have calculated here a material not calculated in any of the figured estimates as per sheet no. 14, also waste, loss, &c., say about 20 per cent. That would make 312,836 feet, board measurement of square and flatted timber, and 199,968 feet, board

measurement of three-inch planks; 2,956 feet, board measurement, of oak; 31,620 feet of one-inch rough boards. The total amount of square and flatted timbers is 1,877,017 of board measurement, and total of three-inch deals, 1,199,809 feet, board measurement; and total amount for oak, 17,740 feet, board measurement. The one-inch rough boards would make a total of 189,720 feet, board measurement. We have made a grand total of all the different sizes of timbers, but I do not think there is any necessity of adding the inch boards and three-inch plank to get at the grand total.

By Mr. McLeod:

Q. Does that include the tongued and grooved stuff?—A. No, that is something that will have to be arrived at pretty much by guess work. The stuff was driven in and had to be chopped out and destroyed.

By Mr. Archibald:

Q. The tongued and grooved stuff was used chiefly for the caissons?—A. Used for caissons and for sheeting in the cross dam above the canal, and for the side sheeting from the end of that cross dam down below the Grand Trunk bridge. In some cases it was two or three thicknesses where we tried to drive one board after another to get them down tight. The board would spring out in the driving and we would have to put in two or three in order to close up that opening.

By Mr. McLeod:

Q. Did you hear Mr. Lavery's evidence?—A. Not all.

Q. What you did hear, was it approximately correct?—A. I heard but little of Lavery's evidence.

Q. Would he not be in a position to know as well as anybody?—A. No, I do not think so, because he being foreman in charge of a certain number of men and over a certain piece of work, if he paid proper attention to it, he should not be as cognizant of all the different works as he would be of that one particular work he was in charge of. While he was building sheds around the park or elsewhere he could not give a very detailed or correct account of the works that were going on elsewhere. I have no doubt that Mr. Lavery, being a very intelligent man, would keep a close watch on almost everything that was going on; but it would be impossible for him to give a very correct account of the different works. Of course he and Huot together, they being two of the principal foremen on the work, might assist each other in the evidence they gave, and be of some service.

Q. He did not seem to have any hesitation at all in giving quantities?—A. I have been over the entire work there in connection with this statement, and I had to have my memory pretty well jogged within the last two or three weeks in trying to prepare a statement. In fact there were four of us together last evening working until a late hour, and when we were leaving we thought of things that we had forgotten, and this morning I might probably add more.

Q. Your assistant, Doheny, had nothing to do with the carpentering?—A. Very little.

Q. Your assistants were engaged in the masonry where you had not much control?—A. There was nothing gone on with there except through my direction. No man knew to-day what he was going to do to-morrow.

Q. Lavery and Huot were the men who actually did the work?—A.—They did it through my instructions.

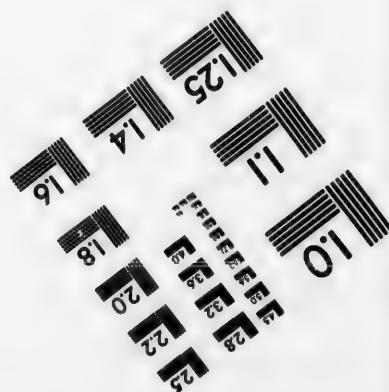
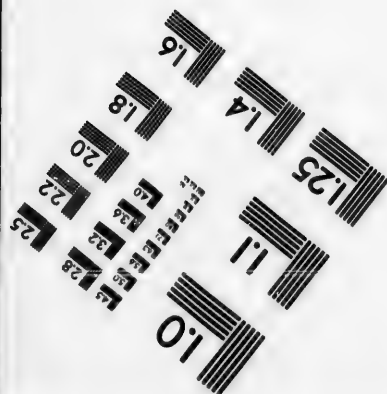
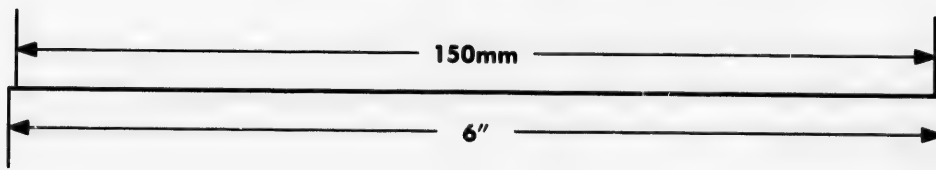
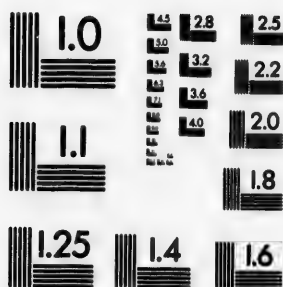
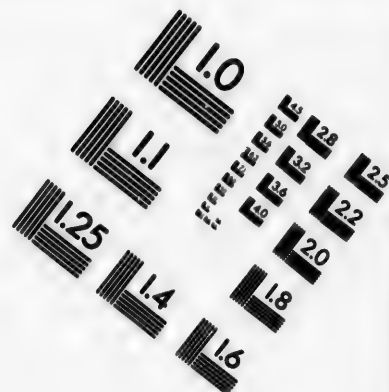
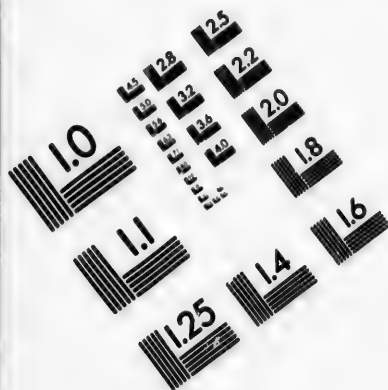
By Mr. Archibald:

Q. The estimate which you have made there, except that which only purports to be an approximate estimate, is it within the mark of the timber that was used?—A. Yes, I should say it was.

Q. I see you have estimated everything in board measurement, nothing by lineal feet?—I have always made a practice of working on board measurements.



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Q. Did you not have some round posts?—A. Yes, we did.

Q. Did you estimate them by board measurement?—A. We averaged them. If the stick would be about 14 inches, or 16 inches in diameter at one end, and 12 or 13 inches at the other, we averaged that to what it would be on the square and then taking the length of it we brought it down to board measurement. We always gave the benefit of the doubt against ourselves.

Q. Your main estimate was certainly as small as the reality?—A. Yes; that is my opinion.

Q. Did you compare an estimate of the different quantities with the abstract of Mr. Henderson's account?—A. Yes; we did.

Q. And with what result?—A. The result was that it was pretty close.

Q. Was there an inventory prepared under your direction of the plant and material between the first and 13th of May, remaining over from the construction of the Wellington bridge?—A. There was, about the first of May.

Q. Will you produce that inventory?—A. I produce as C 80 an inventory taken by me and my assistants, as directed by Mr. Parent, of all the plant and material remaining over from the construction of the bridges across the canal, about the first of May last, together with a valuation of each article or class of articles.

Q. How was that inventory prepared?—A. Mr. Scanlan took different men with him and went from place to place, and made a correct estimate of the quantities and materials, plant and so forth, that they found at each place, which he has given in lead pencil.

Q. Have you yourself verified the correctness of their work?—A. Not in the total, but at different places where I made an estimate for myself in order to make a check on them and see if they were pretty nearly correct; I found them pretty nearly correct.

Q. What men went with Mr. Scanlan?—A. Mr. Doheny and Mr. Robertson, one of the foremen masons, measured all the stone.

Q. Is that the Doheny that was examined here?—A. Yes; he has gone away to Sault Ste. Marie, and I think he will be back here probably to-morrow. Robertson's first name is William. He was employed as builder and foreman stone mason.

Q. Did these men have a capacity to measure lumber?—A. No; they had nothing whatever to do with the lumber.

Q. Who measured the lumber and the timber?—A. Scanlan and another young man named Dwyer.

Q. Who placed the values opposite each item?—A. That was done after conversation between Scanlan, Doheny, Robertson and myself.

Q. Take the first item, for example, hoisting engine of 20 horse power, Ingersoll Rock Drill Co., \$4,200. Was the cost price that sum?—A. That was the cost price. They did not decrease any in value. They are equally as good to-day, if they had taken any care of them and did not allow them to rust the last two or three months.

Q. You say some percentages were reduced on some items. Would you look over and see on what items there have been reductions?—A. I think there were some reductions on all derricks. Of course I am only speaking from memory.

Q. But none of the articles were put in above cost price, were they?—A. None; I am positive of that.

Q. I suppose the lumber and timber remaining was put in at cost price?—A. No; I think there was a reduction made in that.

Q. I see lumber flatted, hewn and square, 980,000 feet, board measurement, at \$20; is that what you paid for it?—A. That is the original price.

Q. Rough planks, \$10?—A. The contract price for them was \$12.

Q. Boards, \$7?—A. The contract price for them, I think, was \$10 or \$11.

Q. Oak, square timber and plank, \$37?—A. That was the original price.

Q. I see the face stone, 510 cubic yards, \$8. Is that the price?—A. I think that is all the face stone that was taken out of the four rest piers, and is equally as good as new.

Q. Now, what was the total valuation of the timber remaining on hand the 1st of May, planks, stone and everything else?—A. The total was \$78,182.42.

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Q. Are there any portions of the property entered in exhibit C 80 which was not procured during last winter for the Wellington street bridge?—A. None that I know of.

Q. Were there any of the stone that was taken out of the rest pier and other portions of the old bridges?—A. Yes, in there.

Q. But those were not bought then?—A. No, they were not.

Q. Will you please point out what portions ought to be deducted, because I only want that which was bought for the bridges and remained over?—A. The only item I know of are the stone arising from the old bridges, \$8,106, face stone and backing.

By Mr. McLeod:

Q. Why did that not go into the new works?—A. Because the abutment and pivot pier of the Wellington bridge were finished above water mark before we could start to take down the abutment under the old swing bridge in order to allow the public to pass over the old swing bridge, which was only taken down in the last few days of April.

Q. And a portion of it did go into the new work?—A. Afterwards when we were short of stone to the ballast wall and parapet walls, we had to take some of the largest stones, in fact any stone that would suit, and we had it bush hammered to make it appear new, and cut to sizes to suit.

Q. You used as much of that stone as you could?—A. Yes, after it was taken down. Of course there was not a very large quantity used.

By Mr. Archibald:

Q. That would leave \$70,076.44, the value of the material remaining over?—A. Yes.

Q. Now, are you acquainted with the habits of contractors who are contracting for a job, and require to get a lot of material of that kind on hand; what percentage would they put upon the material and plank remaining over as being chargeable to the job?—A. That depends on the size of the job; it depends on the plant and material that would be necessary to run the job, either small or large.

Q. If you were a contractor on that job, what percentage would you charge against it as being fairly a part of the cost of the job?—A. I would charge them 25 to 30 per cent. I am just speaking of what I know of the practice of contractors when I have seen them calculating that way.

By Mr. McLeod:

Q. That is for waste and deterioration of plant?—A. Yes.

By Mr. Archibald:

Q. That would make \$17,519.11 to be deducted from the others?—A. Yes.

Q. That would leave the sum of \$52,557.33 of material to be deducted, remaining on hand, and to be deducted from the gross cost of the work?—A. The gross amount of plant that was in stock at the time on the works. That 25 per cent should be only deducted from the steam hoisters and derricks, or what we would commonly call plant. You have deducted that from the timber?—A. Yes, I have deducted it from everything. I am giving the government the advantage of the doubt.

(C 81, an abstract of all the accounts charged against the works, is filed.)

Q. I see by exhibit C 81 which has been produced before the commission, that the total charges for the construction of both bridges, including the superstructures, amounts to \$455,586.05.

Mr. DOUGLAS.—Including outstanding accounts.

Mr. ARCHIBALD.—No, there are some contested accounts. The most of these do not appear to belong at all to the real construction of the bridge. Now, to arrive at the cost of the substructure, we must deduct the cost of the superstructures. Do you know what that was? (to witness)—A. No, sir.

Q. I find on calculation that it is \$61,000. Deducting that from the total cost as given above, the cost of the substructures, alone would be, \$394,466.05. Now, from that we must deduct, I presume, the net value. From the total cost of substructures we must deduct 25 per cent to represent the deterioration upon the plant and material remaining on hand, or \$52,557.33.

Mr. DOUGLAS.—We do not admit those figures. We will look into them as we have time.

By Mr. Archibald:

Q. How much does it make?—A. \$341,908.72.

Q. Do you know what the total pay-list of the Grand Trunk bridge amounted to?—A. No, I do not.

Q. I shall have to ask you to take exhibit C 26, showing an abstract of the labour of different kinds employed on the construction of the Grand Trunk bridge, and make a calculation, and give me the total amount of the pay-lists for the Grand Trunk bridge, the total amount expended in labour according to that statement? (No answer.)

The further examination of the witness adjourned. The commission adjourned till 2 o'clock.

S. A. ABBOTT, *Stenographer.*

MONTREAL, 8th August, 1893.

Afternoon Sitting.

E. KENNEDY's examination continued:

By Mr. Archibald:

Q. We had arrived, after deducting the cost of the superstructure and the value of the material left on hand from the total claims sent in for the two bridges, at the figure of \$341,908.72?—A. Yes.

Q. What do you find to be the total pay-list of the Grand Trunk bridge by calculations from exhibit C 26?—A. I make it \$128,298.75.

Q. What is the balance remaining after deducting that sum?—A. Two hundred and thirteen thousand six hundred and nine dollars and ninety-six cents (\$213,609.96.)

Q. Can you tell me the approximate value of materials, wood, stone and iron, that went into the Grand Trunk bridge, adding also the proportion, say 25 per cent, according to the evidence of some witnesses, of loss of timber actually destroyed in using it on false works, at the same rate?—A. You mean adding 25 per cent?

Q. Deducting 25 per cent as the amount used in the false works and adding it to the total of timber, iron and stone used in the bridge?—A. How much material, wood, stone and iron, were used in the permanent works of the Grand Trunk and those necessarily destroyed in building the works?

Q. You will find that in the exhibit C 78.—A. I make it \$10,847 the whole thing.

Mr. DOUGLAS.—There is the hire of plant and the sand and cement to go in.

Mr. ARCHIBALD.—An analysis of the account will show the hire of plant.

Mr. DOUGLAS.—No. He must have included the plant because I see it is in this exhibit he is working from. The only thing left is the sand and cement.

Mr. ARCHIBALD.—That is a small item.

Mr. DOUGLAS.—It would be something.

By the Chairman :

Q. Was there any cement left over?—A. Very few barrels, because it was only delivered in quantities as needed.

By Mr. Archibald :

Q. What would the cement probably be, say one hundred barrels?—A. Sixteen hundred and sixty-eight dollars.

Q. And the sand?—A. About \$556.

Q. Was there not a number of accounts for light and other things in connection with the building of the Grand Trunk bridge?—A. These lights were pretty well divided between the two bridges. They had lights distributed all over their works, and one row of lights close to the Wellington bridge gave the same light supply to both bridges.

Q. What would be the cost of lighting on the Grand Trunk bridge?—A. About thirty-five per cent of the total cost.

Q. What is the total cost?—A. \$3,110.25.

Q. Thirty-five per cent would be the proportion for the Grand Trunk?—A. I think so.

Q. What would be thirty-five per cent?—A. \$1,088.

Q. Look through that analysis of accounts and see what ones are supplied chargeable to the Grand Trunk bridge?—A. We would have to pick out all the coal accounts and allow a certain percentage to be charged.

Q. What percentage of the coal?—A. About five per cent.

Q. Would there be \$300 chargeable to the Grand Trunk bridge for coal?—A. There would be that sure.

Q. What is the next item chargeable to the Grand Trunk bridge?—A. There was a lot of tools supplied which we would have to enumerate and get the total.

Q. But they were given back?

Mr. DOUGLAS.—Still they are charged in a gross sum. You have deducted the tools remaining over on that \$50,000, and can only charge the loss on tools.—A. What is the amount of tools charged to the Grand Trunk bridge? Then deduct the percentage for loss.

Mr. ARCHIBALD.—There is the hire of engines and machinery too.

Mr. DOUGLAS.—They had a pump and a boiler hired, had they not?—A. Yes, I do not know how many days they had it there. It must have been there ten or twelve days.

Mr. DOUGLAS.—I suppose it was. This is all Wellington bridge, you know.

Q. There is a number of items there properly chargeable to the Grand Trunk, but never mind, suppose we leave them out.

Mr. CHAIRMAN.—Have you got the derricks in?

Mr. DOUGLAS.—Yes, they are in the pay-list. What is the account for hire?—

A. I do not think it is specified what they were used for.

Mr. DOUGLAS.—Put in \$1,000.

Mr. ARCHIBALD.—Put in \$1,000 for all those items. There are then \$10,847 for lumber, timber, iron and stone; \$1,668 for cement; \$556 for sand; \$1,088 for light; \$300 for coal, and \$1,000 promiscuous, chargeable to the Grand Trunk bridge. How much does that make altogether?—A. \$15,459.72.

Q. Deduct that from \$213,609.97?—A. \$198,150.25.

Q. Then I understand that to be the net cost of the substructure of the Wellington bridge.

Mr. DOUGLAS.—Make him cypher up, on the same basis of calculation, the Grand Trunk bridge.

Mr. ARCHIBALD.—I am only working for the Wellington.

Mr. DOUGLAS.—But we are working for both bridges, and would like a calculation for the two.

By Mr. Archibald :

Q. Take the \$80,000 or \$52,000 off the \$455,000, and deduct this from the remainder will show the Grand Trunk bridge cost \$341,908, deduct from that \$198,000, and the cost of the Grand Trunk bridge was \$143,908?—**A.** That is just what it is.

Mr. DOUGLAS.—\$144,000 in round numbers, and the other is \$198,000.

Mr. ARCHIBALD.—Of course there is an enormous amount of false work contained in the Wellington bridge which was not contained in the Grand Trunk bridge, but I am not after that. Now, Mr. Kennedy, you stated that you would have done this work more cheaply if you had had the hiring of the men. What is the average percentage of loss arising from a contract for the hiring of men having been passed?—**A.** It must have been actually at least forty per cent.

Q. I mean the actual moneys paid to the labourers over and above the market price under the labour contract?—**A.** You might put it down safely at twenty per cent.

Q. Taking the labour account of the Wellington bridge at \$116,500, which is a correct calculation from the pay-lists—what would the loss be at an average of 20 per cent upon that item?—**A.** \$23,300 in round figures.

Q. Deduct that from the \$198,000 and see what remains?—**A.** \$174,700.

Q. \$174,700 is the net cost of the Wellington bridge which you have constructed, had there been no contract for the employment of labour?—**A.** Yes.

Q. Have you got a statement showing what the cost of that work would have been under the estimate of values or quantities given by Mr. Schreiber?—**A.** Not more than the statement we are now working on.

Q. What would this work have come to under Mr. Schreiber's estimate of values and quantities?—**A.** We have got the first item here, fifteen thousand yards of ice, what was the figure Mr. Schreiber put on that?

Q. He put \$1.50 per yard?—**A.** That would be \$21,500.

Q. What is the next item?

Mr. DOUGLAS.—He gave those figures under the labour contract and not with the 20 per cent deducted.

Mr. ARCHIBALD.—He gave those figures at a fair estimate.

Mr. DOUGLAS.—With the wages as actually paid?—**A.** There is another 5,900 yards of ice to be added to that.

Mr. ARCHIBALD.—Does that include the Grand Trunk?—**A.** There is a cross section of the canal at a certain point above the old pier and then there is the ice cutting for the temporary bridge, and then around the cribwork, which amounts in all to 20,900 yards of ice.

Mr. DOUGLAS.—\$1 to \$1.50 per yard, he says.

Mr. ARCHIBALD.—As he is the deputy minister we will bind him to his outside value?—**A.** \$31,350 for ice removal.

Q. What is the next item?—**A.** It is clay excavations.

Q. How many yards?—**A.** 8,900.

Mr. DOUGLAS.—Go ahead and say \$2 as Mr. Schreiber's estimate?—**A.** That is \$17,800.

By Mr. Archibald :

Q. What is the next item?—**A.** Masonry.

Q. With regard to that there is a difficulty as to measurement?—**A.** There cannot be much difficulty as to the measurement of the centre pier because we put in 1,600 cubic yards.

Mr. DOUGLAS.—That is right?—**A.** There are the north and south abutments which we will put in at 1,890. That will be 945 yards for each. I was going to put in the ballast wall and parapet walls.

Mr. DOUGLAS.—If you put the whole thing that will come pretty near right, but he does not include the parapet in his estimate.

Mr. ARCHIBALD.—The parapet walls are charged for.

Mr. DOUGLAS.—Not in Papineau's statement.

Mr. ARCHIBALD.—No; but in this estimate of that account made by the government?—A. Ballast walls, 140 yards; parapet walls, 100 yards, equalling 3,730 cubic yards at \$25; equalling \$93,250. That finished the ice excavations, the clay excavations, the masonry for centre pier, two abutments, two ballast walls and parapet walls.

Q. What is the next item?—A. Caisson—you are skipping the temporary works of course.

Q. I skip that in the meantime —A. Cofferdam and caisson is charged in this way.

Mr. DOUGLAS.—He said that included unwatering and everything.

Mr. ARCHIBALD.—No, I did not. Give us the works generally apart from the temporary works and we will come to that at the last. What is the number of yards of cribwork construction?—A. The way I have it figured here is per 1,000 feet. I am working on the caisson.

Q. That is temporary work; I want you to leave the temporary work until you get all the other work?—A. You cannot consider the caisson temporary work. You could not build the pivot pier or excavate the foundation without it.

Q. But you tore the caisson away after you had done with it?—A. You would have to call it temporary work under the circumstances.

Q. We will come to that again, we want the cribwork?—A. You want the cribwork built above the new pivot pier.

Q. Certainly, I forget the price Mr. Schreiber gave to that.

Mr. VANIER.—\$2 per cubic yard?—A. Cribwork is charged so much per 1,000 feet and a percentage is put on for iron work and you figure on the stone filling per cubic yard.

Mr. VANIER.—Cribwork is calculated per cubic yard all told. \$2 is too cheap. We will put it at \$3.

Mr. ARCHIBALD.—What did Mr. Schreiber say?

Mr. VANIER.—\$2.

Mr. ARCHIBALD.—You think that is too cheap. Make it \$3.

Mr. CHAIRMAN.—Had you not better stick to Mr. Schreiber's figures?—A. Ice, 20,900 cubic yards at \$1.50, \$31,350; clay excavation, 8,900 cubic yards at \$2, \$17,800; masonry, centre pier, 1,600 cubic yards, masonry two abutments, 1,890 cubic yards; two ballast walls, 140 cubic yards, parapet walls, 100 cubic yards, total, 3,730 yards at 25c, \$93,250; cribwork, 6,476 yards at \$2.50, \$16,190; timber under pivot pier, 24,000 feet at \$50, \$1,200; concrete under pivot pier, 40 cubic yards at \$10, \$400; taking down old crib piers, 2,200 yards at \$1.50, \$3,300; two masonry rest piers, two masonry abutments, 1,192 yards at \$3, \$3,576; total, \$167,066.

Q. Mr. Schreiber in his evidence stated that the unwatering would be in addition.

Mr. CHAIRMAN.—Did he say so?

Mr. DOUGLAS.—I did not understand him so.

Mr. ARCHIBALD.—I say he did. I put that in my account; Mr. Kennedy is not going to swear that he did. Mr. Schreiber in his evidence stated that the unwatering would be in addition to the prices above given. A report has been made by the engineers that the unwatering would cost \$15,000. Is that in accordance with your opinion?—A. I am sure it could not be done for \$15,000.

Q. You are sure you spent more than \$15,000 in unwatering?—A. I am, but could not state the exact figures.

Q. Say \$31,000 for unwatering, and it comes up to \$198,000?—A. I want no jumble guess work.

Q. I add \$15,000 according to the estimate of the engineers, Mr. Kennedy says it cost more. That is \$182,066. That would be the cost of the Wellington bridge, according to Mr. Schreiber's figures?—A. Yes.

Q. Some of the witnesses have spoken of the loss resulting from the inefficiency of night work. What is your opinion upon that point?—A. I am sure that there is a loss. Naturally enough there must be.

Q. Was it Mr. Beemer or the others said the loss would be fifty per cent with a night gang?—A. Mr. Davis said that and I think Mr. Beemer said the same.

Q. I am not sure whether Mr. Schreiber estimated these prices having night work in view or not.

Mr. DOUGLAS.—Yes, as the work was. It was for that special work he was examined on.

Q. He was not examined as to its being done at night?

Mr. DOUGLAS.—Yes, I asked him what was the value of that special work.

By Mr. Archibald:

Q. You have heard the evidence of Mr. Beemer and Mr. Davis. Were their estimates above or below Mr. Schreiber's?—A. They were above.

Q. Considerably above?—A. Yes.

Mr. DOUGLAS.—Of course they included the contractors' profit.

By Mr. Archibald:

Q. If the government gets the work done as cheaply as a contractor can do it, it ought to be satisfied. Then the total result of this is that, apart from the excessive cost resulting from the contract for labour, the work actually cost \$174,700, whereas by the estimate of Mr. Schreiber its reasonable cost was \$182,066?—A. Those are the figures.

Q. So that in reality you may be said to have built it cheaper than what Mr. Schreiber thought was reasonable? What was the proportion of work of all classes between the Wellington and the Grand Trunk bridges?

Mr. DOUGLAS.—I will answer if you like. There are three thousand yards of excavation on the Grand Trunk bridge.

Mr. ARCHIBALD.—I know that; but excavation has one price and masonry another, and you must connect these with the different prices to get an approximate estimate of the cost of the two bridges. You must make an estimate of the whole thing. Suppose we put Mr. Schreiber's prices to each class of work and see what it costs?

Mr. DOUGLAS.—Take the cribwork removed, that is two-thirds?—A. That is 2,200 yards from 6,700, leaving 4,500.

Mr. ARCHIBALD.—It is perfectly evident, taking the whole average, that the quantities on the Wellington bridge are more than twice those on the Grand Trunk.

Mr. CHAIRMAN.—The masonry is, certainly.

Mr. ARCHIBALD.—The masonry is three or four times, and that is where the large value comes in. It is perfectly evident that on an average it will be more than twice. Please state what would be the reasonable cost of the Grand Trunk bridge substructure according to the same set of figures, giving details?—A. Ice, 5,000 cubic yards at \$1.50, \$7,500; clay excavation, 3,000 yards at \$2, \$6,000; masonry, 950 yards at \$25, \$23,750; new cribwork, 1,770 cubic yards at \$2.50, \$4,425; old cribwork, removed 4,550 yards at \$1.50, \$6,825; masonry, removed 935 cubic yards at \$3, \$2,805; total, \$51,305.

By Mr. Douglas:

Q. To which you have to add unwatering, which would be about one-third of the other, or about \$5,000?—A. \$56,305.

Q. And less than one-third the quantities in the Grand Trunk bridge?—A. Yes.

Q. What do you make the cost of the Grand Trunk bridge?

Mr. ARCHIBALD.—It actually cost \$143,908, giving everything in its favour.

Mr. DOUGLAS.—The cost should have been \$51,305. That is, it costs \$87,000 more than it should.

Mr. ARCHIBALD.—More than it would if Mr. Kennedy had built it and done the work as economically as he did the other.

Mr. DOUGLAS.—Mr. Kennedy is held responsible for that by Mr. Schreiber.

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Mr. ARCHIBALD.—Mr. Schreiber will probably recover it from him if he can.
Mr. DOUGLAS.—We will investigate these figures afterwards. Mr. Kennedy's
bridge cost less than it should, and the Grand Trunk more.

Mr. ARCHIBALD.—Mr. Kennedy's bridge cost less than it should if he is allowed
to deduct what he paid extra for labour, which cost \$15,000 more than it should on
account of giving the contract.

By Mr. Archibald :

Q. Your pay-list, Mr. Kennedy, according to the sheets on the Wellington
bridge, was \$121,562.22. What would have been your pay-list for the Grand Trunk
bridge if you had been constructing it in accordance with the figures you have just
now given, showing the proportion between the two bridges?—A. You are giving
me the figures, \$122,000, as being the actual pay-list of the Wellington bridge.

LACHINE CANAL INQUIRY.

MONTREAL, 9th August, 1893.

The commission met at 10 o'clock a.m.

Present :

Messrs. McLEOD and DOUGLAS.

EDWARD KENNEDY, recalled and deposed as follows :—

By Mr. Archibald :

Q. Mr. Schreiber placed a sum of \$250,000 as a fair cost of the substructures of both bridges according to the calculation you made yesterday. How would that be divided between the two bridges?—A. According to my opinion, two-thirds of it should be charged to the Wellington bridge and one-third to the Grand Trunk bridge.

Q. I am afraid that is pretty bad arithmetic. That would make the Wellington bridge twice as much as the Grand Trunk bridge. Whereas you found yesterday that the Wellington bridge cost three times as much, in the proportion of three to the Wellington bridge and one to the Grand Trunk bridge, did you not?—A. That is what I mean, namely, \$62,500 for the Grand Trunk, and \$187,500 to the Wellington bridge.

Q. It comes to the same thing as the other method?—A. What I mean to say is, that yesterday in going into the figures, we charged one-third of the quantities to the Grand Trunk bridge.

Q. No, you charged one-fourth to the Grand Trunk and three-fourths of the total quantities to the Wellington bridge. You were present during the examination of Mr. Beemer and Mr. Davis?—A. I was.

Q. Have you any idea what the cost of these structures would be upon the estimates of Mr. Beemer and Mr. Davis?—A. I remember well that Mr. Davis, when he mentioned the fact of his being in Ottawa on other business with Mr. Trudeau, was asked what the masonry would cost. He said the figure would be \$25 per cubic yard, that is to say, if the contracts were given out in the months of June and July; but under the circumstances in which the contract was given out, that is to say, as he mentioned, in the latter part of December and January, he calculated that the masonry would cost \$37.50 per cubic yard.

Q. I think he said that he would take it at not less than \$37.50; but I think in examination he varied it to a certain extent, and considered that where night work was requisite, he would charge half as much again for night work?—A. Well, did he not mention that quotation \$37.50 per cubic yard under the circumstances of the contract being given out in the beginning of January?

Q. Yes, but he said that would be to secure him against damage. He was talking of \$2,500 a day penalty?—A. Under the circumstances in which the contracts were given out, he would charge \$37.50 for the masonry; but under a penalty of \$2,500 a day, he would add that much to his contract, which, in his opinion, would amount to about \$50 a yard.

Q. At any rate, he said that it would cost half as much again for the work which was done at night, did he not?—A. Yes, admitting the circumstances of allowing night men the same rate of pay as the day men, because they would do fifty per cent less work than day men.

Q. Either the estimate of Mr. Beemer or of Mr. Davis would give above \$200,000 for the Wellington bridge?—A. By far.

By Mr. Atwater :

Q. Mr. Beemer gave us some evidence about what he thought would be the superior advantages of doing this work over the ice. Would you state what you think of that?—A. I quite agree with Mr. Beemer that if the work had been done at another season of the year, it would cost a great deal less.

Q. I do not quite catch your meaning?—A. My meaning is that if the work was done in the summer season.

Q. I do not mean that. Mr. Beemer said that at the time of year in which the work was done, he could have done it cheaper by doing it over the ice.—A. I quite agree with Mr. Beemer on that point; but at the same time Mr. Beemer is a contractor of a number of years, having more extensive plant and materials to do that work than we have. Mr. Beemer proposed that we should have a caisson put in, and he would have placed the derricks and plant out on the ice and worked into the caisson. We did not have those facilities, and could not do that.

Q. Would it have made any difference in the cost if that plan had been followed?—A. It would, certainly.

Q. It would have been done cheaper?—A. It might have been done cheaper. But when you get the opinion of good contractors now after the work is done and knowing the season of the year it would be far different to get those men's opinions previous to the work being commenced. For instance, you ask a man's opinion in December or January, it probably would be different from his opinion to-day. He has an experience of the severity of the winter, what the season actually was.

By Mr. Archibald :

Q. If it turned out to be a soft winter, the ice would not have been strong enough to hold the plant?—A. Certainly not. As I stated the other day in my evidence, you take old contractors and ask them how that work should be conducted, you would scarcely get two of them to agree on the same method of doing the work, that is to say, in detail.

By Mr. Atwater :

Q. Could you have taken the cribwork out without removing the ice, and the abutment piers that were there?—A. No, we could not, and I agree with Mr. Beemer's opinion on that point. If the Department of Railways and Canals would agree with his plan, he would have put in a caisson and excavated a cut for the pivot pier and built the masonry of the pivot pier in that caisson. He would not have removed the old wall where the two abutments or rest piers for the bridge were, but he would pile drive behind the walls and then build his ballast walls and rest piers to receive the bridge, and his parapet walls outside.

Q. But you would have to remove the old rest piers anyway?—A. Certainly. Afterwards he stated that during an ordinary period of the year, if the water was allowed to go out of the canal a few days in the month of April, it would have allowed him an opportunity of taking away those old rest piers and the old abutments.

Q. Did this plan suggest itself to you?—A. Never; because I did not know what plan I was to go by.

Q. What were the difficulties of removing the ice there?—A. Immense difficulty.

Q. Why was it that you did not remove the ice on the surface of the canal—the ice that you took out the cut?—A. From where?

Q. Where you took the ice out. It was stated that it had to be lifted up to the top of the canal?—A. So it had, and we took it out from the surface also.

Q. What do you mean?—A. Take for instance the derrick that was placed on a pier behind of the temporary bridge. In order to expedite matters, along with digging the ice out from the surface, it would float down where the teams could not check it, it ran against the old pier, and that was lifted out with the derrick that was on the pier.

Q. But why did you not drag the ice over the canal and take it off by teams, instead of shovelling it up?—A. When you would saw out the ice according to the icemen's plans, and when you threw a chain around it, a certain amount of ice would break off the large blocks, and that would float down. The small pieces were thrown into dumping boxes and carried away on the platform or on the surface of the ice.

Q. It has been stated that one reason for the cost of this ice removal was that it had to be shovelled up from one platform to another, to the top. Why was it done in that particular way?—A. From the commencement of the removal of the ice to the time the water was let out of the canal, and the time of the commencement of the excavation, on account of the severity of the weather the ice had formed a second or third time, but in smaller quantities than the first ice, this was cut out, and it is for that reason the ice had to be shovelled as part of the excavation, in order to get it out.

By Mr. Douglas :

Q. And then the ice that formed afterwards had to be shovelled out?—A. Yes. The first ice was hauled away by team on the surface of the canal, and sometimes swung up by that derrick in the centre.

Q. This was the second crop?—A. The second and third crops, particularly the third which was much lighter than the first one.

By Mr. McLeod :

Q. The greater part of the ice was taken away on the surface?—A. Yes.

By Mr. Archibald :

Q. Do you mean by taking it away on the surface, that it was hauled away in each direction upon the surface and deposited down through the ice, or that it was taken on the surface and carted away over the land somewhere?—A. It was carted away over the land and then deposited on the ice further down.

By Mr. Atwater :

Q. Why did you not put it on a sled and take it along the canal and deposit it on top of the ice?—A. That is what was done. Sometimes where there were no derricks, in order to save the extra work of loading it on to sleds, we threw a chain around it and hitched teams to it and carried the block away *en masse*. We could not carry it over the ice because there were the two bridges to intercept us, and we hauled it up on to the land and had to cross the temporary bridge with it.

Q. How did you get it up on to the bank?—A. By the inclined roadway. At St. Gabriel's basins a great deal of the small ice we hauled at least a quarter of a mile before we dumped it. My original idea was to dump it all into the Wellington basin so that it would not interfere with letting the water into the canal and blocking the sluice gates; but the immense weight and number of teams and men that were there to unload, caused the ice to commence to sag, and I was afraid of accidents, and then we distributed it.

By Mr. Archibald :

Q. You were afraid of damming the water?—A. Certainly.

Q. Why could you not have taken it up the other way?—A. If we had taken it up the other way and if the warm weather had come on it would have melted into water and drowned us out; and we had enough water without making more.

Q. Above the works was there not also a large number of barges and other things which would prevent you from getting a place to deposit ice for a considerable distance?—A. Immediately above the works, or where we put the cross dam, were all the elevators and about three or four, if not more, of the harbour commissioners' fleets.

Q. So that you had to go a considerable distance up the canal in order to get a place for deposit?—A. If the space was clear we could not put one-third of the ice that was taken out above the works, because every block of ice that was put above where we were working would have been a cause of serious damage and trouble, because it would have melted and we would have to contend against water.

Q. And there was no space anywhere?—A. No space.

By Mr. Atwater :

Q. On the 17th February, on the following day, you received this letter from Mr. Parent, of which I have asked heretofore, informing you of the contract for labour and stating the price?—A. (After reading the letter.) I have seen that letter. I do not remember the date.

Q. It was just about a month before you wrote the letter to Mr. Curran, that you produced here?—A. I could not say. Oh, I remember seeing the letter; but I could not tell you whether it was a month or a few days. I should say it would be a very few days before I wrote the letter to Mr. Curran.

Q. But you would not be prepared to say you did not receive this letter from Mr. Parent on the date that it bears?—A. No.

Q. Now, the labourers that you mentioned and of which you complain in your letter to Mr. Curran of March 12, are exactly the same labourers that you are notified by that letter of Mr. Parent's were employed on the contract?—A. No, sir, they are not exactly.

Q. Where is the difference?—A. There is the difference of adding pick and shovel labourers at \$1.50 a day, that were not mentioned at all.

Q. Now, will you take your letter to Mr. Curran and point out where you complain of the contract with regard to pick and shovel labourers? Where do you mention the fact in your letter that a contract has been asked for pick and shovel labourers?—A. I think it is plain enough. Where is Mr. St. Louis's contract?

Q. Here is the clause in your letter referring to that: "Without consulting any one, for what motive I consider a mystery, he (Mr. Parent) issues specifications asking for rates for the supply of foremen, derricks, stone-cutters, stone-masons, double and single teams and skilled labour." Mr. St. Louis was announced the successful tenderer. You do not state in that letter that any tenders were asked for ordinary labour?—A. No, I do not. They never asked for ordinary labour, to my knowledge.

Q. No tenders were asked?—A. For ordinary labour, to my knowledge, until I found out just as that letter states.

Q. What was it you were complaining of—that they were putting on ordinary labour as skilled labour?—A. My principal complaint then was that they were putting on pick and shovel labourers at \$1.50 a day.

Q. But you do not state that in your letter. After mentioning the classes of labour that are employed by contract, you do not mention pick and shovel labourers. You complained, then, of the putting on of pick and shovel labourers at \$1.50 a day?—A. Exactly.

Q. Was there ever an attempt made to put them on at \$1.85?—A. Decidedly there was. Their account showed it.

Q. Pick and shovel labourers?—A. Yes.

Q. Was it ever recognized that they were pick and shovel labourers?—A. It was recognized, proved here by Mr. Schreiber.

Q. That a pick and shovel labourer was paid \$1.85 a day?—A. I say pick and shovel labourers, men whom I could have got for \$1.25 a day, were placed as skilled labourers.

Q. I am asking whether a pick and shovel labourer was ever paid \$1.85 a day?—A. I know men who worked as pick and shovel labourers, whom I would have placed on the work as pick and shovel labourers, were paid \$1.85 a day.

Q. What were they doing when they were paid \$1.85?—A. Working mostly with crow bars, some time with derricks.

Q. How many men do you know did that?—A. I could not tell exactly.

Q. About?—A. I could not tell.

Q. Were there a dozen?—A. More than that, dozens.

Q. Can you tell from the pay-list?—A. No, I could not.

Q. You cannot tell the names of the men?—A. No, sir. That is a ridiculous question—to expect a man to tell the names.

Q. Never mind whether the question is ridiculous. I asked whether you can state anything about the number of men so employed?—A. If you ask me whether I can tell from the pay-list the names of the men, it is impossible for me to do it.

Q. Can you tell the number?—A. No.

By Mr. Douglas :

Q. Do you mean that men who were only qualified to work with pick and shovel were put on as skilled labourers?—A. Yes.

Q. Or do you mean that men who actually worked with pick and shovel were put on as skilled labourers?—A. No, I mean that men who were working as pick and shovel labourers, or as crow bar men could have been got for \$1.25.

By Mr. Atwater :

Q. You consider that the men were overpaid according to their value?—Certainly.

Q. But you do not know that men ever worked with pick and shovel who were getting \$1.85 a day?—A. Not to my knowledge.

Q. When did you first send out tenders for common labour?—A. I think it must have been in December.

Q. That you sent out invitations to tender yourself for certain classes of labour?—A. Yes.

Q. What replies did you get to those invitations?—A. I stated that the other day.

Q. I want you to answer me now.

(Mr. Douglas shows the witness the pay-list of the day force of skilled labourers.)

The Witness.—I know no more about it than if I never saw that.

By Mr. Atwater :

Q. What replies did you get to those invitations to tender for labour?—A. As I said the other day, I asked tenders from five contractors. Three I remember, and the other two I did not nor do I now. The three were Mr. Turner, Mr. St. Louis and Peter Lyall.

By Mr. Douglas :

Q. Why did you not ask Mr. McNamee?—A. I do not know. Why did I not ask all the contractors in Canada?

By Mr. Atwater :

Q. Mr. Turner was a reliable contractor?—A. I think so.

Q. A well-known contractor?—A. Yes.

Q. So was Mr. Peter Lyall?—A. Yes.

Q. And Mr. St. Louis is a well-known contractor?—A. He is very well known.

Q. You sent two others besides?—A. Yes.

Q. What replies did you get?—A, I do not remember now.

Q. What did you do with those replies about tenders?—A. In the meantime I had received instructions from Mr. Parent, together with a copy of a letter from Mr. Schreiber, the then deputy minister, that all the contracts or invitations to tender should be called for through the superintending engineer and not through the superintendent.

Q. That is not an answer. Finish your answer?—A. I received that letter between the times, that I sent the invitations to tender and the time I received them.

Q. You received that letter from Mr. Parent between the time of sending out the invitations and the time of receiving replies?—A. Yes, and when I received the replies I returned them to the office, to Mr. Parent.

Q. Did you open them?—A. No.

Q. How many did you receive?—A. I stated the other day, and I state now, that I think there were three.

Q. Out of the five that you asked?—A. Yes.

By Mr. Archibald:

Q. That was only for stonecutters?—A. Yes.

By Mr. Atwater:

Q. You mean your invitations were only for stonecutters and stone masons?—A. Yes.

Q. Is this a letter you have just spoken of—a letter of December 29th, 1892, which is filed as exhibit F 3?—A. I think so.

By Mr. Archibald:

Q. Look and see if there is not one of the 23rd, to the same purport?—A. Yes, there is one of the 23rd. He states in the second paragraph: "I am not a little surprised that you should allow Superintendent Kennedy to invite tenders when you might have been well aware that it was your duty to receive tenders and open them."

Q. This is probably the letter you referred to?—A. The letter of the 23rd.

By Mr. Atwater:

Q. You say that you never saw the tenders that were addressed to you?—A. I do not remember that I ever did.

Q. When did you first hear that the labour was contracted for?—A. I cannot remember exactly.

Q. Did you know that before you got this letter of February from Mr. Parent?—A. No, I do not think I did. If I did I would have taken the same action as I did in March.

Q. Are you aware that the tenders that were sent to you in answer to your invitations, tendered for all classes of labour, including killed labour?—A. No, I do not remember that.

Q. You never saw the tenders at all?—A. I do not believe I did.

Q. Are you sure you never did?—A. I swear from memory that I never did—just then, I did afterwards.

Q. Did Mr. Parent never tell you that the labour had been contracted for?—A. No.

Q. Now, did you never contract for labour for any works in connection with the canal, yourself?—A. I did.

Q. On what occasion?—A. Not for what I called labour; I never contracted for labour.

Q. What did you contract for?—A. Stonecutters, stonemasons and derricks.

Q. No hand labour?—A. I do not think I did.

Q. For skilled labour?—A. For skilled labour, I did; but never for common labour.

Q. Will you look at the exhibit filed as pay lists of the Wellington bridge, and look at the day force of skilled labour, and state what names are on that pay-list as skilled labour that should have been entered as ordinary labour?—A. I need not look at it, because I could not tell you.

Q. What proportion of these names were put in as skilled labourers where you would put them in as ordinary labourers?—A. I could not tell you now.

Q. Could not you make any attempt at it?—A. No.

Q. You know something about it?—A. No, sir.

Mr. ARCHIBALD.—I object that Mr. Kennedy should be asked to interpret that contract.

Mr. ATWATER.—I want you to realize this with regard to Mr. Kennedy. Mr. Kennedy is overseer of that particular work; he was put in that position and he was superintending the work. He was officially informed by the department to whom he is responsible that a certain contract has been given; he is informed of that in February by an official letter from his superior officer, Mr. Parent, the superintending engineer, and he is told the different rates at which the labour was to be paid. It is for Mr. Kennedy to certify all the pay sheets; it is for Mr. Kennedy to refuse men or to put on others. Mr. Kennedy had the absolute power of dismissal of every man that was put on there that he did not like; if they did not suit him he could put them off. Now, it was for Mr. Kennedy to make the classification of that labour. If a man was sought to be imposed upon the government as a skilled labourer who was only an ordinary pick and shovel man, it was Mr. Kennedy's duty to see that the government was not robbed out of the difference between what that man is paid and what he should be paid; and I want to find out from Mr. Kennedy how far he has done his duty.

Mr. ARCHIBALD.—The question is this: A difference as to the classification of the labour arose between the contractor and Mr. Schreiber, and the contractor goes to Ottawa and they arrange the thing between them. Now, you want Mr. Kennedy to tell you what Mr. St. Louis' contract with Mr. Schreiber means. Mr. Kennedy had no responsibility whatever for the classification of the labour; that was between the government and their contractor.

Mr. ATWATER.—You are entirely mistaken there.

Mr. ARCHIBALD.—You have got nothing to do, says Mr. Curran in his letter to Mr. Kennedy, with the classification of the labour; that is a matter for the department.

Mr. ATWATER.—Mr. Kennedy was not informed by a member of the government at all; I do not know that Mr. Curran has anything to do officially with this matter. The first mistake you have made is in stating that the government took the classification of labour out of Mr. Kennedy's hands. They never did anything of the sort. They merely made a contract to pay so much for certain classes of labour; but they left the classification of it to their superintendent.

Mr. ARCHIBALD.—Not at all.

Mr. McLEOD.—Mr. Parent was understood to ask for the men, to call for them; it was distinctly said so in the letter. Mr. Schreiber distinctly says that the men were to be called for. Of course that means that the class is to be called for, and every man as wanted is to be called for.

By Mr. Douglas:

Q. Did you have any dispute with Mr. St. Louis about the classification?—A. I had some dispute with him, but I do not remember as to that point.

By Mr. Atwater:

Q. Did you ever, in going through the pay sheets, raise the question of how the men should be classified?—A. No, I never did.

Q. The men on the Wellington bridge and the Grand Trunk bridge?—A. No.

Q. Take this pay sheet of the Wellington bridge. You have just stated in your evidence that you knew of a number of men who were run in as skilled labourers, who were not skilled labourers?—A. I did not say anything of the kind.

Q. What did you say, then? I failed to understand you if you did not say that. What do you mean when you say that men were paid as skilled labourers that should not be paid at that rate?—A. What I meant to say was that if I had had the work I could have got men for \$1.25 a day of the class which were paid as skilled labourers, and which were not.

Q. You consider, then, that men got paid as skilled labourers who were not skilled labourers?—A. I tell you I am not going to be brought in to define the contract be-

tween Mr. St. Louis and Mr. Schreiber. What I understood from the beginning, when the contract was submitted to me and I received a notification, was that pick and shovel labourers were to be placed at \$1.50; all other labourers who were working upon derricks or with stoep boats and crowbars and so on, were to be classed as skilled labourers at \$1.83.

I understand skilled labourers to be carpenters, stone cutters and masons. Apart from that, you may question me from now till doomsday, and I will not differ from that through any technical questions you may put to me.

Q. Now, I want to know whether on the pay sheets of the Wellington bridge, men were put in as skilled labourers who were not skilled labourers in your opinion? A. In my opinion, all the men who were placed on the pay list of the Wellington bridge as pick and shovel men, were pick and shovel men at \$1.50. All others who were not carpenters, stonecutters or stonemasons, were placed, in my opinion, as skilled labourers.

Q. That is, you put on the pay sheets every man as a skilled labourer except men working with a pick and shovel?—A. I did not.

Q. Unless he was in some other category he was a skilled labourer?—A. Yes.

Q. But you only put on as a skilled labourer at \$1.50 all others except pick and shovel men?—A. Exactly.

Q. That is all?—A. Yes.

Q. You did not attempt, then, to make any classification of the labourers, outside that classification of masons, stonecutters, derrick men, and so on?—A. I had no authority to do anything of the kind, because that had been done already between Mr. St. Louis and Mr. Schreiber.

Q. I am not asking you what your opinion was; I am asking as a matter of fact, I am asking you as a question of fact, whether you attempted to make any distinction between the labourers?—A. If you had a man here without an opinion, how would he answer the question?

Q. I want to know what you did?—A. I have just told you two or three times.

Q. Did you attempt to make any distinction?—A. I certainly made an attempt as to the instructions I understood and received through the definition of the different classes of labour between Mr. Schreiber and Mr. St. Louis.

Q. But you did not attempt to make any distinction between skilled labourers and others, unless they worked with a pick and shovel?—A. The men who worked with a pick and shovel were put down at \$1.50, and those who were classified as stonecutters, stonemasons or carpenters, were put down as skilled labourers. As to naming the men on the pay-list, I did not know the names of one man from another.

Q. They made the arrangement, but they left to you the selection of the men?—A. They might have referred to the men, either directly or indirectly.

Mr. McLEOD.—They did not bring each man up to Ottawa and classify him, and say this man is a mason, that man is a stonecutter, and so on. They merely made a definition of the rule.

By Mr. Atwater :

Q. You stated you thought you had never contracted for skilled labour before. Will you look at the accounts of Turner & Co., dated 23rd April, 1892, and state if that is certified to by yourself? This is filed as exhibit C 84?—A. Yes; that is right.

Q. That account was rendered and certified to by yourself?—A. Yes.

Q. That is labour and material furnished by contract, is it not?—A. Yes.

Q. Do you find some skilled labourers put in there?—A. Yes.

Q. At what rate?—A. \$1.75.

Q. What month is that?—A. April, 1892.

By Mr. Archibald :

Q. Were the tenders sent out by yourself?—A. Yes.

By Mr. Atwater :

Q. Who did you send the tenders to for this work?—A. That was for spring works that had to be done in a hurry, in the month of April. I sent tenders to Mr. Turner, and I think to Mr. St. Louis, and I think to Peter Lyall—five or six.

Q. Just as you sent tenders for the labour on the Wellington bridge?—A. No; not just the same. The labour on the Wellington bridge was work that would last longer, and this was a hurried work. We did not have the material and did not have the plant at the time to do any work of that kind.

Q. I am asking you if you sent out tenders in the same way that you sent out tenders for the work on the Wellington bridge?—A. No; I did not.

Q. Were your invitations to tender different in any way?—A. I think they were different.

Q. In what respect were they different?—A. For the simple reason that at the time when I was superintendent of the Lachine canal, they had no derricks and had no men that knew how to run derricks.

Q. Now, will you look at the accounts fyled as exhibit C 85, and say if those accounts were certified to by you? These accounts are rendered by Mr. St. Louis, in 1892, for a stone wall at Côte St. Paul, dated 31st May, 1892?—A. I remember something about those accounts for work done along the canal. Mr. St. Louis supplied the men and derricks for the work that had to be done in a hurry.

Q. Did you invite tenders for that work?—A. I did.

Q. And sent them to about the same parties?—A. Yes.

Q. And both these works were done under the contract system, and under the day's labour system?—A. They were all done under my supervision.

Q. The labour and material were furnished under the contract system?—A. Yes.

Q. Were furnished by contract?—A. Yes. It would be well to find out what the amount of those two accounts are, and compare them with the amounts of the two bridges.

Q. Will you look at a copy of the letter addressed apparently to you? I do not ask you to say that it is a correct copy, you have not seen the original. It is signed by Turner & Co., dated 20th December, 1892. Please state what that purports to be? It is filed as C 86?—A. That is a call for tenders for foremen, stonecutters and masons, double teams, derricks, cement and labour.

Q. That purports to be a copy of a reply made by Turner & Co., to an invitation to tender for the work on the Wellington bridge, does it not?—A. It looks like it.

Q. The letter was apparently addressed to you?—A. I never saw the original.

Q. But this copy is apparently a tender for certain classes of labour in connection with the Wellington street bridge, and lock no. 1?—A. Yes.

Q. And it tendered for skilled labour, derricks and cement?—A. Yes.

Q. This letter from Turner & Co. starts out by saying: "In reply to yours of the 15th inst." Would that be the date of your invitation to tender?—A. It would appear so.

Q. Now, I have another copy of a letter here of the same date, 20th December, 1892, addressed to you, and which I file as C 87. What does that purport to tender for?—A. That is something about the same. It is a tender for double teams and single teams.

Q. It is a copy, apparently, of a tender made by Mr. St. Louis, is it not?—A. Yes. Some of those items would probably be added in. They were never asked for.

Q. This appears to be a tender also for skilled labour as well as for teams, does it not?—A. It mentions that, but I never asked for it.

Q. But it appears to tender for skilled labour and teams, does it not?—A. Yes, it does.

Q. It starts out by saying: "The whole in conformity with your honour of the 15th inst."?—A. It does.

Q. That would apparently also be the date of your invitations to tender for labour?—A. Yes.

Mr. ARCHIBALD.—I think that one of Mr. Kennedy's letters has been filed before this commission. If you want to infer from this class of evidence which really is no evidence at all, that Mr. Kennedy's invitation to tender differed from what is in his own letter which is produced here—I think I have seen it before the commission—your course is not fair.

Mr. ATWATER.—I do not seek to drag Mr. Kennedy into anything at all. But I do not want to lead him or anybody else to believe that his invitations to tender were different from what they are. What I want to show is that tenders made were made, not only by Mr. St. Louis, but by a number of other contractors, for this very labour before a contract was awarded by the government. Whether they were asked for or not, tenders were received by the government for this class of labour.

Mr. ARCHIBALD.—Perhaps you will inform us where you got these copies?

Mr. ATWATER.—These were given to me for my information. I did not get them from Mr. St. Louis or Mr. Turner.

Mr. ARCHIBALD.—It is always suspicious when we have copies without the originals.

Mr. ATWATER.—I will get the originals if I can. I will find the originals, and they will be produced here as originals.

Q. Now, you were asked the other day with regard to the number of men employed on the Wellington bridge, and you said you did not want to give an answer until you had heard the answer you had given before. What did you mean with regard to five men being employed where three were enough?—A. I think that the reply I gave to that question the other day was this: The fact of the men knowing that they were being paid by another contractor and working under the superintendent, would be a reason why the men would not do as much work as they would have done if they had been paid directly by the government through the man who had control of the work. Another reason, in my opinion would be, that the time being so short, the work would necessitate a larger number of men than would have been sufficient if the water had been let out of the canal on the 1st December, and remained out all winter, in which case it would have required a lesser number of men to do that work than were required to do it in six or seven weeks. Also, if the water had been let out of the canal in the early part of the season, there would have been no ice to cut, and consequently a fewer number of men would have been required. Take, for instance, the excavation. You take a man who would have four feet space to work in, the next man would have four feet space, and so on, up to twelve feet; you put three men in there, but under the circumstances of last spring we would put five men where these three men were, so that if there were only three men working continually they would have done as much work as five men were able to do in their places.

Q. You do not pretend to say that the contract system, or the system of employing labour by contract, is responsible for five men being employed where three men would have done?—A. First of all, it would be.

Q. That is one of the causes, but it would not be responsible for the whole of the surplus of labour?—A. It would be principally. It is not altogether the giving out of the contract, but the men knowing that they were working under a head who was not paying them, and they were being paid by another who was making a certain amount out of them. They felt, and they so expressed themselves on the works that the contractor was making so much out of them, and they were not going to kill themselves.

Q. You think you could have got as much work out of three men employed and paid by yourself, as you could have got out of five men knowing they were employed on a contract?—A. To a great extent.

Q. Now, did you not have from the first the power of dismissing and discharging those men?—A. Decidedly.

Q. You did dismiss them?—A. By the hundred.

Q. And you had the power of engaging them, too, had you not?—A. I had.

Q. As a matter of fact you did engage large numbers of men?—A. Yes.

Q. This was on the Wellington bridge only?—A. On the Wellington bridge only.

Q. The men knew that you could discharge them?—A. They did.

Q. And knew you had control of them?—A. They did. If I was standing where a hundred men were looking at me, they would work while I was looking at them; but at a little distance away there might be two or three hundred other men who were loafing all they could.

Q. Is there not always a certain amount of loafing on works of that size?—A. No doubt about it. Mr. Davis stated the only way you can overcome that is to keep sacking them.

Q. Have men more inclination to loaf when they work for the government than when they work for private parties?—A. Yes.

Q. You find that is human nature?—A. Yes, any man will shirk.

Q. More especially if he is working for the government?—A. I think so.

Q. To what do you attribute that?—A. That would be human nature too, knowing the government was at their back.

And further deponent saith not.

The commission adjourned till 2 o'clock.

S. A. ABBOTT, *Stenographer.*

Afternoon Sitting.

MONTREAL, 9th August, 1893.

E. KENNEDY, examination continued.

Mr. ATWATER.—The copies which I have here, and which I will put in as exhibits C 85 and C 86 are copies made in the office of the department in Montreal by the clerk from the original tenders.

Mr. ARCHIBALD.—That would seem to me even a stronger reason why the copies should not be produced because you obtained them from the parties who presumably have charge of the originals.

Mr. ATWATER.—As a matter of departmental regulation these things are made in duplicate.

Mr. ARCHIBALD.—These tenders are not for the same class of work.

Mr. ATWATER.—They are all the same.

Mr. ARCHIBALD.—Am I right in saying that a copy of Mr. Kennedy's invitation to tender for labour was produced here and referred only to stonecutters and stonemasons?

Mr. DOUGLAS.—I saw something of that kind some place.

Mr. ATWATER.—We know what the tenders were. They were for all the labour.

Mr. ARCHIBALD.—I do not care what the tenders were for, Mr. Kennedy's request was only for stonecutters and stonemasons, and that is all he is responsible for.

Mr. ATWATER.—I know that the contract for labour was not awarded without competition.

Mr. ARCHIBALD.—I know that too.

Mr. ATWATER.—I do not care what Mr. Kennedy asked for. The tenders came in and the contract was based on the tenders. I would like at this point to emphasize again, because there seems to be some doubt in the public mind which I want to remove, the fact that tenders for this labour were put into the department and that the contract was not awarded without careful consideration of the prices submitted by a number of competent contractors in this city, and that the reason the government had for giving out the labour by contract, was to avoid the

risk of strikes and to avoid trouble in securing men, as, owing to the season of the year, and the hurry in which the work was done, difficulty in securing men might be anticipated. I would therefore like to have the abstract of tenders for labour produced again. As far as Mr. Kennedy's individual opinion goes, he may have full confidence in his own power to engage men, but at the same time the government may not have felt quite so sure of being able to get men as Mr. Kennedy did, at the time they asked for these tenders.

Mr. ARCHIBALD.—I do not call into question the wisdom of applying for tenders.

Mr. ATWATER.—That is what I understood Mr. Kennedy to do.

Mr. ARCHIBALD.—Mr. Kennedy's opinion does not govern the policy of the country.

Mr. ATWATER.—That is exactly what I want to elicit.

Mr. VANIER.—Were tenders advertised for in the papers?

Mr. ATWATER.—Invitations to tender were sent to a number of the principal contractors.

Mr. VANIER.—Who prepared the list?

Mr. ATWATER.—Tenders were sent in by the different gentlemen to whom Mr. Kennedy sent his invitations. I am not saying now what Mr. Kennedy asked for, but he sent invitations to Lyall, to Turner who has done work before and who is a competent contractor, to Mr. St. Louis, and there were two others afterwards sent out by Mr. Parent.

By Mr. Atwater:

Q. As a matter of fact, Mr. Kennedy, your instructions from the government were that every sort of material required in connection with the bridge should be only obtained after invitations for tenders had been sent out?—A. That was the instruction given by me Mr. Turdeau, which was afterwards countermanded by Mr. Schreiber.

Q. In what way?—A. In that letter of instruction which he sent to Mr. Parent, superintending engineer, that all invitations to tenders and supplies should be dealt with through his office.

Q. I am not asking you whether you or Mr. Parent sent out invitations for tenders but whether the instructions were not that, in the policy of the canal, all working materials were to be contracted for only after invitations to tender had been sent out?—A. That was the order. That was only latterly, in the latter part of the administration of the canal.

Q. What date?—A. Some time last year.

Q. Before the Wellington bridge was commenced?—A. Yes.

Q. You do not know how many replies were received to the invitations to tender for labour?—A. Not positively.

Q. Do you know in any official way in connection with your duties as superintendent?—A. Do not remember.

Q. I ask leave to put in as an exhibit letter from Mr. Parent to Mr. Schreiber of the 10th January, 1893, enclosing abstracts of tenders and also the abstract of labour required for the construction of the Wellington street bridge, and also abstract showing quotation of Messrs. Turner, St. Louis, Rose and Trottier. Do you know whether this giving of labour by contract was recommended at all by any of the officials here?—A. Recommended, I think, by Mr. Parent.

By Mr. Vanier:

Q. Are you sure of that?—A. No, could not say positively.

Mr. DOUGLAS.—It is in one of his letters.

Mr. PARENT.—I do not know.

Q. Which of the assistants of Mr. Parent was it you did not receive the assistance from you thought you should have had?—A. In which way?

Q. You stated that some of Mr. Parent's assistants you did not have proper help from?—A. When did I state that?

Q. In your examination in chief?—A. For what reason?

Q. I do not know. You simply made the statement that some of Mr. Parent's assistants did not render you assistance?—A. I must have been asked a question relating to a certain work or a certain part of the work or a certain time.

Q. Did any of the assistants of the superintending engineer not give you the assistance you required?—A. Do you mean in connection with the Wellington bridge work?

Q. Certainly?—A. Yes, I did make complaints.

Q. Who were they?—A. I complained to Mr. Parent that I did not receive necessary plans to go on with the work from the department in proper time. I think I specified it in my letter to Mr. Parent, and verbally.

Q. Had you anything to complain of with regard to Mr. Papineau?—A. No, I do not think I ever made a complaint with regard to Mr. Papineau.

Q. It was Mr. Desbarats only, so far as the engineering staff is concerned?—A. There were times, after Mr. Papineau replaced Mr. Desbarats, that we should probably need a little information, but I do not think it went any further than Mr. Papineau himself. I do not remember ever making any complaint to Mr. Parent regarding Mr. Papineau.

Q. You have no complaint to make regarding Mr. Parent himself?—A. No, I cannot say that.

Q. How were the workmen furnished you on the Wellington bridge?—A. I have answered that question several times.

Q. Were they furnished on requisition?—A. No, I was asked that question yesterday and answered that I was on the work at six or six-twenty in the morning, and men were changing so often, in fact, changing every day, that we had to organize gangs of men every day, as though we were commencing new work. I think I stated that if I had to go to my office and make out requisitions, and then hunt up Mr. St. Louis, it would be pretty late in the day before I could have the gang organized.

Q. Then, you engaged the men yourself?—A. Decidedly.

Q. You did not engage any men on the Grand Trunk work?—A. No, sir.

Q. What were your reason for believing that the masons could be better engaged by contract?—A. I have answered that question several times also. My answer was that stonecutters and stonemasons at that season of the year, during March and April, when there were a great many contracts to be let out, might be difficult to get; and those classes of men have labour organizations which control the market prices at that time of the year, so that it was my opinion it would be far better to hold the contractor responsible for the supply of those men than to have to deal with a large number of men of that class.

Q. Do you not think the same reasons would apply to the employment of the other labour?—A. No, because commoner labour at that time is more plentiful.

Q. Might there not be causes that would render the supply of labour scarce, even at that time of the year?—A. They would be very exceptional causes, and there were no prospects, in the early part of the winter, of there being any large contracts to be given out, as they are generally given out months ahead.

Q. But if it was desired to avoid any doubt as regards the supply of labour, do you not think it would be safer to contract for that supply?—A. I do not think so. I am talking from the position of last fall.

Q. If it had been desired to avoid any chance of any sort, are you prepared to say it would not have been better to contract for the labour?—A. If there was any possibility of chances, it would have been better.

Q. This work had to be done by the first of May?—A. Yes.

Q. It meant serious loss to the country if it had not been done?—A. I think it is a very serious loss to a great many to have it done.

Q. Would it not have been a very serious loss not to have it finished?—A. No doubt it would.

Q. There was a letter addressed to you on the 10th of February by Mr. Parent asking for a report of the progress of the work up to that date. Do you remember that letter?—A. I remember a letter to that effect, but not the exact date.

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Q. Did you give that report?—A. We made out one or two, possibly three reports, of the progress of the work for certain weeks, and when I failed to send in reports later on, Mr. Parent asked me verbally why I did not make out the report as Mr. Schreiber was very anxious to hear regularly from the works, and I told him he could quite understand himself that it was impossible for me to make out reports, as I was outside on the work every day from fourteen to eighteen hours per day. He said he quite understood it, and I think afterwards Mr. Parent got reports himself of the number of men daily from me verbally as he came on the works.

Q. What was the last date you rendered a report?—A. I do not remember.

Q. Was it after the receipt of that letter I asked you about?—A. I think it was.

Q. Did you render more than one report after receiving that letter?—A. I rendered one or two or possibly three.

Q. Then, you found you had not time to make any more?—A. I had to strain time to make those I did.

Q. The subsequent reports were simply verbal communications?—A. Yes.

Q. Some one made the remark here that you said to Mr. Parent you had not time for scribbling?—A. I protested against that; I never made any such remark.

Q. How often are the men paid in the usual course?—A. Once a month.

Q. Do you know how often they were paid under the contract?—A. Nearly every two weeks.

Q. So that the men were paid twice as often as they would be by the government?—A. Three times as often, according to some of the payments they have been given.

Q. You were asked by Mr. Archibald with regard to this letter of the 17th of March from Mr. Parent to yourself: "I will draw your attention to the fact that, apart from the works which the contractor will erect, if we have not enough on hand for him, we will supply him with necessary plant to carry on his work." Is it customary to supply the contractor for work with tools, or does he not supply them himself?—A. That depends on the agreement with him.

Q. Is it not usual when a contract is made for certain works, that the contractor should supply the material?—A. That depends on the form of the contract.

Q. Supposing nothing is said about that, and the contract is simply for the performance of certain work, has not the contractor to furnish with tools, derricks, and other plant to enable him to carry on his work?—A. I do not think there is a contractor on record who would enter into such a contract without first understanding whether he has to supply the tools or not.

Q. Do you mean to say that if a contractor undertakes a contract for a certain work, he would not have to supply his tools?—A. If a contractor enters into a contract at a certain figure to do a piece of work, he supplies his own tools. When he enters into a contract at so much per yard, that includes the supply of his own plant, tools, and all materials.

Mr. ARCHIBALD.—This is a contract for the supply of labour.

Mr. ATWATER.—Yes, and you have been trying to make it into a contract for the supply of work. This letter practically gives you instruction to supply the contractor for labour the plant, to carry on his work?—A. Yes.

Q. This letter further goes on to say that Mr. St. Louis would be held responsible for such plant. You understand that, I suppose?—A. Yes.

Q. And as in the case of the staff men, you have, under my (reading letter) direction, supervision of the force to be supplied by him which he will engage at any rate he may make. That gives you supervision of his force on both bridges?—A. I never understood it so, nor Mr. Parent either.

Q. Here is the letter of the 17th of March you have been asked about. It starts out by saying: "With further reference to my letter no. 13307, dated 15th instant, re labour to be supplied by Mr. St. Louis for the work at the Grand Trunk and Wellington street bridges,"—there is a statement that his letter refers to the work of the two bridges—"Mr. St. Louis will be held responsible for all such plant, and as in the case of the staff men you have under my direction, supervision of the force employed by him." What do you mean by the staff men?—A. They have no

connection whatever with Mr. St. Louis' men. They are regularly employed on the canal, and none of them work under Mr. St. Louis.

Q. And those men worked on the Wellington bridge?—A. Yes.

Q. The letter draws a distinction. It says: "Mr. St. Louis will be held responsible, and as in the case of the staff men, you have supervision of the force." That letter implies that you have control of the staff men, and also gives you control of the force employed by Mr. St. Louis?—A. On the Wellington bridge.

Q. It makes no distinction?—A. I make it, and Mr. Parent will recognize the distinction.

Mr. ARCHIBALD.—The letter is clear enough. It says that Mr. St. Louis is to have supplied to him for the use of the men under him on the Grand Trunk bridge, all the plant necessary for that work. What does he want with this plant, if he is done with the bridge once he has supplied the labour? What does he want of plant if he is only supplying Mr. Kennedy with men?

Mr. ATWATER.—He supplies the men and Mr. Kennedy had the supervision?—A. Mr. Atwater wants to make out that I had special control of the Grand Trunk bridge as well as the Wellington.

Mr. ATWATER.—I want to show what your instructions were. The letter goes on to say: "The regular men shall have precedents of employment, but the contractor is ready, at your request, to furnish the balance of the labour which in your opinion will be required, but in all cases the time work must be approved and duly certified by you before payment is made."—A. This was all complied with. Everything was complied with, but I did not take charge of the Grand Trunk work.

Mr. VANIER.—Did you take control of the time keeping on the Grand Trunk?—A. Our timekeepers counted the number of men, but did not take their time.

Mr. VANIER.—That is no check.

Mr. ARCHIBALD.—There were other timekeepers appointed by the government to take the time on the Grand Trunk bridge. Mr. Kennedy took the time-list prepared by the Grand Trunk timekeepers, who were presumably controlled by the government as they were paid by the government.

Mr. ATWATER.—The whole government did not come down here and look after the timekeepers?—A. You did not expect I was to sit on the two bridges and look after the time of the men.

Mr. ARCHIBALD.—Mr. Kennedy controlled them in the same way as he controlled the time of his own men, by taking the time of the timekeeper duly appointed. He went a little further, because he did not know the timekeeper, and made a sort of averaged check.

Mr. VANIER.—He should have had the timekeepers under his control like the others.

Mr. ARCHIBALD.—It was not his duty to dismiss a timekeeper already appointed by some other competent officer.

Mr. VANIER.—Who was the competent officer?

Mr. ARCHIBALD.—Was it for Mr. Kennedy to point out whether the officer was competent or not?

Mr. VANIER.—Where are the time-books of the Grand Trunk bridge?

Mr. ARCHIBALD.—Ask Mr. St. Louis.

Mr. VANIER.—Mr. St. Louis says he did not keep them. They are all destroyed. How can we check the pay-lists?

Mr. ARCHIBALD.—Go and ask Mr. Schreiber why he did not look after it.

Mr. DOUGLAS.—Mr. Schreiber says he trusted the looking after it to Mr. Kennedy.

Mr. ARCHIBALD.—I do not think there can be any possible doubt by the construction of Mr. Kennedy's authority. It is proved beyond all question that when Mr. Kennedy was appointed to superintend the Wellington bridge, it was not because he was superintendent on the canal, because it was expressly stated to him by Mr. Trudeau that as superintendent he had nothing to do with that work. At the request, however, of Messrs. Ogilvie and Curran, he was named overseer of the Wellington bridge, subject to being paid or not as the government might subsequently decide. How, then, is it possible to hold Mr. Kennedy responsible for the Grand

Trunk bridge when he was expressly told by deputy minister Trudeau that he had not any authority except what he got through his special appointment as overseer of the Wellington bridge?

Mr. CHAIRMAN.—Why did he sign the pay-lists?

Mr. ARCHIBALD.—Because Mr. Parent directed him to do so?—A. Furthermore, Mr. Schreiber fairly understood that I had not control of the Grand Trunk bridge when, on his visit in the latter part of April, he requested me to go over to the Grand Trunk bridge and discharge any men I thought were not necessary.

Mr. VANIER.—After he found out you did not go around?—A. He knew right along, he must have known I did not.

Mr. VANIER.—He must have known, but that does not say he knew.

Mr. CHAIRMAN.—When you signed the pay-lists, must not the government have supposed that you counted those men and were satisfied they were correct?—A. I must have satisfied myself to a certain extent that the timekeepers employed by the men in charge of the Grand Trunk bridge took a correct account, and I sent my timekeepers there to count the number of men.

Mr. VANIER.—When they saw your name was attached to the pay-lists, they thought you had control of that staff or at least that you had checked the pay-list?—A. I do not know what they thought in Ottawa, but Mr. Parent defines it explicitly in his letter wherein he authorizes me to certify to the Grand Trunk pay-list, and in order to ensure their correctness, before putting my name to them, I had, for my own satisfaction, the men counted by my timekeepers.

Mr. EMARD.—Was not that signed by you as superintendent?—A. Decidedly.

By Mr. Atwater :

Q. You have said that a great deal of surplus labour was apparently employed on the Grand Trunk bridge. Did you ever make any report at all through the government or the department, or the officials here, that too many men were employed while the work was going on?—A. I think I mentioned it several times to Mr. Parent.

Q. Did you ever put it yourself on record in writing?—A. No.

Mr. VANIER.—Did you ever protest against the work done on the Grand Trunk bridge? Did you ever mention in any writing or report that you had nothing to do with the Grand Trunk bridge?—A. Never.

By Mr. Atwater :

Q. Did you state how much, in your opinion, the cost of the labour was increased by reason of the adoption of the contract system?—A. I said at first 25 per cent, but to make it sure I set it down at 20 per cent.

By the Chairman :

Q. How do you arrive at that 20 per cent?—A. It is an opinion.

Q. Was there more paid for stonecutters under Mr. St. Louis' contract than was paid before?—A. Mr. St. Louis had a contract from the beginning.

Q. There could not have been any 20 per cent on that? That was the market rate?—A. Pretty near it, yes.

Mr. ATWATER.—Mr. Kennedy admits that himself, because he wanted to contract for the labour of the masons himself.

By the Chairman :

Q. Skilled labour was the same?—A. Skilled labour was cheaper.

Q. How much?—A. I think I have already stated that.

Q. What is the difference compared with what you paid?—A. From 35 to 50 cents less a day, I paid less.

By Mr. Vanier :

Q. Could you have got common labourers last winter for \$1.10 per day?—A. I could.

Q. And the contract price was \$1.50?—A. Yes.

Q. That makes 36 per cent, a little more than your own estimate of 20 per cent.

Mr. ARCHIBALD.—Yes, but he puts 20 per cent as a low estimate.

Mr. ATWATER.—He says in his letter to Mr. Curran it was \$1.25.

By Mr. Vanier :

Q. From \$1.25 to \$1.50, which would make 20 per cent?—A. If he could get skilled labour for \$1.25, what percentage would it make then?

Q. Was labour cheaper in April, 1892, than in 1893?—A. It was scarcer in 1892 than in 1893. The comparison of work for skilled labour in 1893 differs just as much from that in 1892 as day does from night, for this reason, that to do the work along the canal for repairs we did not have any derricks. Never had any derricks on Lachine canal, and consequently did not have any men who knew how to run derricks or how to put them up, and we had to solicit labour for that purpose.

Q. Is it a fact, as so stated by Mr. Baillargé, that you changed certain men on the pay-lists from capital to income?—A. I do not remember any such changes.

Q. The instructions you had received were not to change any appropriations, were they not?—A. Yes.

Q. You are aware that when an appropriation is made for a certain work, that appropriation must apply only to that particular work?—A. Exactly.

Q. This account of N. Trahey & Co., exhibit A 1, bears your signature?—A.

Yes.

Q. I see this account also certified by McConomy, Daragh & Renehan. How does it come to bear these signatures?—A. They received the timber.

Q. This pine which is charged was not received?—A. No.

Q. How, then, did these men come to sign it?—A. It was left on the desk for them, and they signed it.

Q. As having been delivered for the appropriation for the drain at Côté St. Paul?—A. Yes.

Q. Is that oak, actually furnished by Trahey & Co., still on hand?—A. I do not know.

Q. Was it when you left the work?—A. A portion.

Q. Had the rest been used?—A. Some had.

Q. What use was made of it?—A. Some was sawn up to repair lock gates and to put on new lock gates.

Q. And the balance is there still?—A. It must be.

Mr. EMARD.—You stated in your examination in chief that you never knew you had anything to do with the Grand Trunk bridge?—A. I did.

Q. Until when?—A. Until I received verbal instructions from Mr. Schreiber in the latter part of April, just to go and do one certain thing, as I have stated several times before. That was to dismiss any men who, in my opinion, were not necessary.

Q. Had you anything to do with the cutting of the stone of the Grand Trunk bridge?—A. No; I did not take much part in it. Nothing more than the instructions I gave to the stone measurers to see that the quantity of stone was delivered and recorded.

Q. Were you not made aware that the contract for labour had been awarded to Mr. St. Louis?—A. Yes.

Q. I find here a letter of the 10th of February, 1893, addressed to you by Mr. Parent: "Please report fully and at once on the progress made with the work on the Wellington street and Grand Trunk bridge substructures, and the works in connection therewith." Did you receive that letter?—A. I remember it, but not the date.

Q. Have you any doubt that you received that letter on that day or the next?
—A. I could not say it positively.

Q. I have here another letter of 17th February, addressed to you by Mr. Parent: "With further reference to my letter of the 6th instant, advising you that the tender of Mr. St. Louis for the delivery of the stone required for the construction of the Grand Trunk bridge abutment at Wellington street, and the renewal of the masonry of old lock no. 1 had been accepted by the minister, I beg to supplement this by saying * * * * I also enclose press copy of chief engineer's letter accepting Mr. St. Louis' tender." Did you receive that letter of the 17th of February?—A. I remember something about it.

Q. I find a letter here of the 7th of March addressed to you by Mr. Parent: "According to instructions received from the chief engineer, I beg to inform you that L. G. Papineau of this office is to take charge of the Wellington and Grand Trunk bridge works, so far as the necessary lines and levels are concerned, and to see under any direction that the work is carried on according to plans and specifications." Have you received that letter also?—A. I remember something about that.

Q. Did you reply to any of these letters that you had nothing to do with the Grand Trunk bridge?—A. Not that I remember. I replied often verbally though to Mr. Parent that I could not take any action on the Grand Trunk bridge, that is as to running the work.

Q. Do you think that was sufficient to relieve you?—A. He said that he understood I did not have the necessary time, and that my hands were full.

Q. Of course you have been made aware of the letter of the 15th of March which has already been read here, when the definition of skilled labourers was communicated to you. You notice that this letter also refers to the Grand Trunk as well as the Wellington bridge?—A. Yes.

Q. So that when you say that you never knew, until the latter end of April that you had anything to do with the Grand Trunk bridge, you ignored these letters?—A. I never ignored them.

Q. On what then do you base that pretention?—A. I stated to my superior officer, the superintending engineer Mr. Parent, that I could not attend to the work of the Grand Trunk bridge.

Q. Is that sufficient to permit you to say that you did not know you had anything to do with it?—A. It is sufficient, and Mr. Parent acknowledged my reasons for objecting.

Q. Did you call for any letter withdrawing those instructions or making a change in those instructions?—A. No. I think, if you will ask your client Mr. St. Louis and can jog his memory a little he will tell you that when he started the derricks on the canal to receive the cut stone, I told him I had nothing to do with it. He then said to me, could you not come and give me your advice?

Q. That was a diplomatic question?—A. There was a lot of diplomacy around the work.

Q. It was not for Mr. St. Louis to give you authority.

Mr. ARCHIBALD.—What had Mr. St. Louis to do with putting up the derricks at all?

Mr. EMARD.—He was taking an interest in it as his men were doing the particular work.

Mr. VANIER.—He wanted to furnish the labour.

By Mr. Emard:

Q. Mr. Parent, on the 23rd of March, wrote to Mr. Papineau:—"Mr. Kennedy being actually overworked by having in hand the construction of the Wellington bridge and repairs on the Lachine canal, and having stated that he could not superintend the masonry work on the Grand Trunk bridge abutment, you are by these presents authorized to take charge of the said works and to control the time-keeping of the men furnished by Mr. St. Louis. In this case you shall employ Mr. Viger as assistant to keep the time of the men employed on that work." Have you had any cognizance of this letter?—A. I do remember it now.

Q. You are aware of this letter being sent to Mr. Papineau and his taking charge of the Grand Trunk bridge?—A. I remember it now.

Mr. VANIER.—I understand that that order to Mr. Papineau was countermanded later on.

Mr. DOUGLAS.—Mr. Papineau, in his evidence said it was.

Mr. ARCHIBALD.—Mr. Parent says it was not.—A. I say it was never countermanded, and if you will allow me to explain the circumstances Mr. Parent will corroborate what I say.

Mr. ARCHIBALD.—Mr. Papineau said it was not carried out.

Mr. DOUGLAS.—He said he had orders not to carry it out.

Mr. VANIER.—I understand from this letter that Mr. Parent wanted to give Mr. Kennedy a kind of help in the matter.—A. The name is not mentioned there at all.

Mr. VANIER.—It is the first word in the letter.—A. The letter says: My hands are full and I cannot attend to it. That is explicit enough.

Mr. VANIER.—That was written on the 23rd of March, long after the work had begun?—A. Mr. Parent understood from the beginning that I could not attend to it.

Mr. EMARD.—Still he continued mentioning the Grand Trunk bridge in every one of his communications and letters of instructions.

Mr. ARCHIBALD.—Remember, the work only began the 8th of March.

Mr. VANIER.—By this letter to Mr. Papineau, Mr. Parent wanted to give help to Mr. Kennedy.

Mr. EMARD.—He wanted to relieve him.

Mr. ARCHIBALD.—Not to relieve him, he never was there.

Mr. EMARD.—Mr. Kennedy practically, in the first part of his evidence, said there was no overseer at the Grand Trunk bridge, and in the latter part he said Mr. St. Louis was the overseer. Witness: I said Trudel was overseer under the dictation of Mr. St. Louis.

Q. Will you state some facts that will justify that assertion?—A. I cannot remember everything.

Q. Is that another opinion of yours?—A. No; it is not an opinion.

By Mr. Vanier:

Q. Mr. St. Louis was around the works?—A. Yes; every day.

By Mr. Emard:

Q. Did you find it strange he should be there having to furnish the labour?—A. No.

By Mr. Vanier:

Q. Was he more around the Grand Trunk bridge than the Wellington?—A. He was.

By Mr. Emard:

Q. Is it not a fact that Mr. Trudel went to you very often to get instructions?—A. Mr. St. Louis would come to me and say that he would like very much if, when Trudel would ask my opinion as to how things should be done, I would be good enough to give it, and I said I would.

Q. Did he go to you several times?—A. Yes; but his instructions from me were not given on authority as though I felt I was responsible for the work. I stated before that Mr. St. Louis came once or twice to the sheds to know if I would go with him, and see where the derricks could be placed, and I said I had nothing to do with that. But he came in his good-natured way and said: "Mon bon gargon, come and show me."

Q. At the beginning of the work, did you apply to Mr. St. Louis for men such as stonecutters and masons?—A. Only in this way, that after getting the first consignment of stones Mr. St. Louis drove to the works, and I told him we would be ready on a certain day to cut the stone.

Q. Is that the only verbal requisition you made to him?—A. No; at other times, when the stones would be coming in in larger quantities, and we could employ more men, I would tell him that we could take on so many more men.

Q. You applied for the men?—A. Yes.

Q. And he furnished them?—A. Yes; glad to furnish them.

Q. You were never short of men?—No; sometimes too many on account of the want of stone.

Q. Not through Mr. St. Louis' fault?—A. No.

Q. I think you have already said that Mr. St. Louis filled his stone contract very well?—A. Yes; it could not be better.

Q. Did you ever remonstrate with Mr. St. Louis or Trudel or any of the foremen of the Grand Trunk bridge that there were too many men employed?—A. I went once, as I have already said, when Mr. Douglas authorized me to look after the dam or caisson, when the water broke in and the pump would not work—I went over and took charge of it, and Trudel felt very bad about it. He and I had some words, and I told Mr. St. Louis the next morning that Trudel and I had made it up, but that probably he felt a little sore, as I would, at another man taking the work out of his hands. Mr. St. Louis said: "That is all right, I have explained it to Trudel."

Q. Is that the only instance where you had to remonstrate against having too many men?—A. There may have been others, but I do not remember.

By Mr. Vanier :

Q. Did you not feel a little disappointed when you found out that Mr. St. Louis was a successful tenderer?—A. Not at all. Personally you mean?

Q. Yes?—A. I had no reason to have any personal spite or animosity against Mr. St. Louis.

Q. Do you remember using such language to Mr. Curran?—A. That did not refer to Mr. St. Louis. It was directed to the department. If the government gave out all their contracts for supplies at what rate they pleased to Mr. St. Louis or anybody else, it is none of my business. From the fact of my having charge of the work and being interested, I thought I was in duty bound to make him acquainted with what was going on. It was none of my business whether Mr. St. Louis made \$50,000 or half a million dollars out of the government. He was perfectly justified in doing so, and I think him very clever in getting the chance.

By Mr. Emond :

Q. Besides the stonecutters, did you apply to him for other labour?—A. I did not have any necessity for it. We always got a sufficient number of labourers right on the works.

Q. Are you aware that most of the men were sent there by Mr. St. Louis?—A. Most of the stonecutters; yes.

Q. And the others also?—A. No, they were not. Mr. St. Louis would require to have an office larger than the drill shed if they all passed through it.

Q. They would not all require to go upstairs?—A. No, nor downstairs either. It would require a squad of police to disperse them from the square if they all went there.

Q. But from the fact of its being known that Mr. St. Louis had a contract and required men for the work, the men might go direct to his office or on the spot and apply for work?—A. A great many did. But I do not know of any case of labourers who did so. I know that Mr. St. Louis sent me a number of letters from members of Parliament, political friends of his, requesting that men should be employed. Of course, he was the man supplying the labour and they applied to him, but, as I have

stated, no political or other influence had anything to do with me in the putting out of men.

Mr. VANIER.—So far as you were concerned personally?—A. Yes.

By Mr. Eward :

Q. Were there any foremen on the Wellington bridge that Mr. St. Louis had to supply you at your own request, and to whom he had to pay more than 40 cents an hour?—A. Mr. St. Louis never supplied any foreman to me at my request other than when he came to the work knowing that I was not a contractor, and did not have experienced men, he would assist me in carrying out the work by selecting certain men whom I told him I would like to have placed on the work if he had no objection, and they would have to be paid as high a rate as they were getting from the department, and he said he had no objection. I refer to men in the employ of the government.

Q. Was there not more than two cases?—A. There might be 10, 15, or 20 or 50. There are no facts in connection with the work I wish to hide. They were about six.

Q. He paid as high as \$6 a day?—A. Only one foreman at \$6, two at \$5, and I think three at \$4 a day.

Q. Was there not one at \$7 a day?—A. Not that I know of.

Q. Mr. St. Louis was only getting \$4 under his contract?—A. I believe that was all.

Q. What was the night foreman getting?—A. 60 cents an hour, or at the rate of \$6 a day. Very often that man worked out all night, and when there was trouble on the work, he would come out and help us to manage the men. He has often worked half the day as well as all night.

Q. Those were men that you selected?—A. Yes, who were working on the Wellington bridge.

By Mr. Atwater :

Q. Did you have any men working for you who were incompetent, but were kept there by reason of political influence?—A. No man that I found incompetent was kept on. There was no political influence that could be exercised over me to keep him there.

Q. You said that men would come to you with letters from political parties, were there many such?—A. The men who came to me from political parties came through Mr. St. Louis. Mr. St. Louis received those letters from political friends of his, and they got a letter from St. Louis to me, and they were stonecutters and stonemasons. They were the only ones I received any letters about.

Q. You would not undertake to put them on the work without your sound approval even though they had these letters?—A. If there was work for them to do, I would put them on, and if there was not, I could not put them on.

Q. You took a man on his merits?—A. I had to see him at work and find out what he could do. I could not tell before then.

Q. If he was a competent man you would keep him, and if not you would send him away, whether he had a letter from political friends or anybody else?—A. Yes. There is always a certain percentage of men in large gangs who are incompetent, and that cannot be overcome.

By Mr. Eward :

Q. What is your appreciation of Mr. Trudel's ability?—A. I have already stated that he is a first-class and very competent foreman, and if I were a contractor having a big contract, I do not know many men I would take in preference.

Q. That was the foreman of the Grand Trunk bridge supplied by Mr. St. Louis?—A. Yes.

Q. He is the one who has been referred to very often in this investigation as Mr. St. Louis' foreman?—A. Certainly.

Q. He was the one supplied by Mr. St. Louis and he had charge of the Grand Trunk bridge?—A. Yes.

By Mr. Vanier :

Q. How do you explain the great cost of the Grand Trunk bridge if there was such a competent man at the head of the work?—A. If I were a contractor I would consider Mr. Trudel a first-class foreman, and there are very few I would take in preference, but at the same time, he is like many foremen, he wants a head to dictate to him. Show him what to do and he will do it. He may make a first-class foreman but he may not have the head or the ability to carry out certain large work.

Q. He had no head to dictate to him?—A. Of course if Mr. St. Louis could have been there from 7 in the morning until 6 in the evening, I dare say Mr. Trudel would have improved considerably on the work he did.

By the Chairman :

Q. Do you think it was Mr. St. Louis' place to be there to supervise the work when he only contracted to supply the men?—A. I cannot say definitely what his place would be, but from the beginning Mr. St. Louis was on the work most of the time.

By Mr. Eward :

Q. He had some interest at stake?—A. Most decidedly.

By Mr. Archibald :

Q. A question arose as to the proper measurement of the stone work in the abutments of the Wellington bridge. I think you took the measurements this morning?—A. I drove down there this morning, and I found out that on the north side there is 130 feet lineal measurement, 5 feet high above water mark, and on the south abutment it shows about 124 feet long on top 4 feet 6 inches high.

Q. You cannot tell what is under water?—A. No, except I let the water out.

Q. That would probably make Mr. Papineau's measurement pretty correct?—A. As I stated before, it is probable that Mr. Papineau's figures are correct taken from the plans, but I am certain there is more masonry built in the two abutments of the Wellington bridge than the plan shows, because we could not go by the plans there, as I said before.

Mr. CHAIRMAN.—The plan might be prepared from the measurements after the work was done?

Mr. ARCHIBALD.—Here is a plan which does not show that.

Mr. CHAIRMAN.—Is that above the bridge seat?—A. Under the bridge seat.

Mr. ATWATER.—When you calculated the cost of labour on the Wellington bridge, did you take into account the amount expended on the permanent force?

Mr. DOUGLAS.—That is charged on that account they operated on?—A. All that was taken in.

Q. So that when you talk of the total cost of the bridge being \$455,000 that includes the work of the permanent staff and the superstructure and the material left on hand and the plant and the false work?—A. Everything included.

By Mr. Douglas :

Q. Can you tell us the operation of those pay-lists that you signed. What was done with the little sheets?—A. Mr. St. Louis could tell that, I do not know.

Q. When a man was discharged or left, what was done?—A. His time was made out in the timekeeper's office by the chief timekeeper, certified to by him and countersigned by myself.

Q. What would the man do?—A. I suppose he went to Mr. St. Louis to be paid.

Q. They could not bring their slips back again and run them in two or three times?—A. I do not see how they could. Naturally, the bookkeeper or cashier would take the time-bill and put it on the file and pay the men entered on it.

Q. Was there a regular set of discounters discounting these slips?—A. I have seen some. Some of those men who got those time-bills went to their grocers, and the grocer would take the bill to Mr. St. Louis.

Q. Did you ever have any dispute in the preparation of the time list?—A. I cannot remember that I did.

Q. Do you remember any dispute as to the time?—A. No; I cannot.

Q. Why was that extra stone broken up on St. Patrick street? Was it broken for macadamizing the road around there?—A. No; it was broken up through an agreement by myself and Mr. Desbarats. Mr. Desbarats' original plan was to have the foundation of both abutments and centre pier concreted.

Q. There is a good deal more stone than necessary for all the concrete that would make?—A. When orders came from Ottawa to have the new abutments built under the Grand Trunk bridge, it turned out afterwards there was no concrete put under any of the abutments. That report about stone being broken for the building of the road of Mr. George A. Drummond must have been dreamt of by somebody because I was never requested to do so; never thought of such a thing, and never did so.

By Mr. Archibald:

Q. Mr. Henderson says there was some 300,000 feet of new timber left unused the first of May. How did it happen to have such a quantity?—A. Because the crib was not finished and a large quantity had been used since, and a large quantity of square timber was ordered for piling which was never used. The order for piling was countermanded.

Q. If the work had been carried out as first intended, that timber would have been all required?—A. All the timber for the permanent works would have been used and nothing left on hand but what was in the temporary works.

Q. So that the orders given for the timber were not excessive?—A. I did not consider them so.

By Mr. Chairman:

Q. There are some cheques sent down from Ottawa in which your name appears as witness to the marks of people who received money, and it is stated in a letter from the department, that it is contrary to orders that you should sign your name as witness to a mark. Did you get instructions not to sign those cheques?—A. Not that I remember. After the death of Bastien, late paymaster, I got the cheques. The paymaster paid all the men by cash in envelopes, and after his death, all the cheques were sent me with the pay-lists, and I went along the canal and distributed the cheques to all the men. When they produced them at the banks, they would not be recognized without my witnessing them. No man would be recognized in any of the banks except some of the officials.

Mr. DOUGLAS.—You did not witness the signatures but endorsed the cheques?—A. Any man who could not sign his name required to have his signature witnessed.

Mr. ARCHIBALD.—I cannot understand that the government could possibly be so unreasonable as to pay labourers by cheques payable to their order when it is impossible for them to get money from the banks, because they cannot be identified unless a man who knows who they are will identify them.

Mr. ATWATER.—No shopkeeper will take the cheques?—A. That is one of the many things which created great trouble. I was in charge of these extensive works during February, March and April and had to act in the capacity of paymaster as well. Twenty-five or fifty men got cheques for a portion of the work, and naturally spent 25c. or 50c. each and came back in a glorious state.

Mr. EMARD.—So that giving the labour out by contract was a great relief to you?—A. Yes.

By Mr. Archibald:

Q. You do not remember ever receiving any orders not to witness the signatures?—A. No.

Mr. CHAIRMAN.—The men were paid the full amount of cheques in all cases?—

A.—Yes; in all cases that I know of. As far as I know, they were.

By Mr. Emard:

Q. To what date does that cheque system apply?—A. Up to the first of May; up to the time of my suspension.

Q. For the permanent staff?—A. Yes.

Q. There was no paymaster on the canal?—A. No.

Q. McMillan was not appointed until May?—A. No.

Q. How many men composed the permanent staff employed on those works?

—A. I do not remember. Between the regular staff and the canal lockmaster, etc., I suppose there were 90 or 100.

Q. Which saved you a great deal of trouble?—A. Certainly.

Q. That trouble would still increase if you had ten times the number of men to deal with?—A. The very fact of the work being given out by contract gave me ten times more trouble in dealing with the certified cheques that went to Mr. St. Louis to receive their money because they were coming to me at all hours of the day and continually bothered me, whereas if they were paid regularly, once a month, or once a fortnight, it would relieve me of that trouble.

By Mr. Douglas:

Q. Did you sign any of those pay-lists for the Grand Trunk?—A.—No.

Q. Do not you think it was rather hard to make men wait for their pay?—A. It was far more injurious to give them their pay after two or three days than to wait two weeks. It would be a temptation for him, whereas if he waits two weeks his family will get the benefit of it.

Q. Or let them starve?—A. If a man cannot get through for two weeks he does not deserve to live.

Q. You are accustomed to deal with the department employees?—A. Yes, with all kinds of labour.

By Mr. Atwater:

Q. These exhibits D 1 and D 2 were produced by Mr. Baillargé? This is your writing on this where the word "capital" occurs?—A. Yes.

Q. Explain those notes of yours?—A. I explained that before. I have stated that at the end of the month, Mr. Baillargé could not remember or define where those men worked, and from my memory, going up and down the canal, I wrote out each man's name and dictated the appropriation to which each should be charged.

Q. You did not charge a man against an appropriation where he did not belong?—A. Not that I do remember.

Mr. VANIER.—At the end of the famous bill for lumber from Mr. Trahey, you certify the account to be correct in all details and particulars, was that true?—A. No, I say it was not true.

By Mr. Archibald:

Q. You confess you were wrong in that?—A. I confessed I was wrong.

By Mr. Vanier:

Q. Are variations in appropriations often made in Ottawa?—A. I have known it to be done.

Q. With all governments?—A. Yes, I have known it to be done in other matters for some reason or other. When work was immediately necessary and the amount of appropriation was not sufficient it would be transferred to another.

By Mr. Atwater :

Q. That has always been reported?—A. The only way I have heard it reported was from outside.

Q. Do you know a case where lumber never ordered at all for a particular work, was run in under another appropriation?—A. I am sure of it.

By Mr. Archibald :

Q. Do you know of a bridge being built across the Beauharnois canal before the appropriation for it was ever granted at all?—A. I have heard of such a case.

Mr. ATWATER.—But the appropriation was granted afterwards.

Mr. ARCHIBALD.—It was paid out of another appropriation, in anticipation.

Mr. DOUGLAS.—The department generally will not pass any account which is not charged to the right appropriation.

Mr. EMARD.—Do you know that the superintendent has been blamed by the minister for doing so?—A. I do not.

Mr. EMARD.—I do, and you know more than I do.

And further deponent saith not.

E. J. DUGGAN, *Stenographer.*

MICHAEL P. DAVIS, contractor, on being duly sworn, deposed as follows :—

By Mr. Douglas :

Q. You are a contractor of long experience, I believe?—A. Quite a while, yes.

Q. You had considerable experience with canal work and such like?—A. Yes, a great deal.

Q. Have you built any bridge abutments and piers?—A. Yes, some.

Q. During the course of the constructions of the Wellington and Grand Trunk bridges, have you been over the work, I mean have you passed that way or made any observations of the work?—A. I passed that way only once, to my knowledge.

Q. Do you remember the date?—A. No; it must have been in March.

Q. Was it after the temporary work, platforms and stagings and derricks had been erected, showing the method of carrying on the work?—A. They had not done anything to the cofferdam or centre pier. It was before that time. I was there a second time, but then they were done building and the centre pier was finished, and I believe the derricks were down.

Q. From your general observation when you were there, what did you consider the method of carrying on the work with regard to the false works?—A. There were practically no false work done when I was there. They were either not commenced or completely taken away.

Q. Was the platform erected?—A. The first time I was there there was a bridge across, just east of where the centre pier of the Wellington bridge is. They were hauling up ice. (Witness is shown photograph exhibit C 35.) A piece above the bridge there was a big platform, perhaps 150 yards above, on which there was nothing when I was there.

Q. As a contractor, would you have constructed that platform?—A. I could not say. I never paid enough attention to the work to say in what way I would have done it myself.

Q. Did you see the plant on the work?—A. Yes.

Q. As a contractor, did you think there was an unnecessary amount of plant?—A. Do you mean plant, or are you referring to derricks?

Q. I refer to derricks—that is all you could see, I presume?—A. That is all I could see. I do not know the amount of masonry they built.

Q. They built 3,400 yards on the Curran bridge, and about 19,991 on the Grand Trunk bridge?—A. We had to build about the same number of yards this spring ourselves. We had seven standing derricks and one travelling derrick to build about 4,000 yards.

Q. What kind of masonry was that?—A. All cut stone, in bridge work too. We had seven standing derricks and one travelling derrick, and that would be as good as any three standing derricks, and we had no trouble in moving them. For our yarding, it was the very best kind. We had two masts eight feet high—as good as any ordinary three or four derricks.

Q. Would you have done all the hauling by carts and teams, or as a contractor would you have laid down tramways and carried the material that way instead of by carts?—A. A great deal depends on where your dump was, and the quantity of material you had to handle. If it was not a very large quantity of material, it would be cheaper to take it by cart, because it would cost more to lay the tramways.

Q. You do not think it would be less expensive to lay 4,000 yards of masonry if the stone had been taken by tramway?—A. We use carts always for our masonry. I thought at first you meant hauling out the material. In hauling stone for our masonry we use trucks and carts all the time.

Q. Did you see the temporary bridge erected there?—A. Yes, I walked over it, but I did not see it any more than as I walked over the surface of it.

Q. You don't know its construction?—A. No, I was not down in the canal at all; I just walked over it twice.

Q. Please look at exhibit C 56, and say if you think that was an unnecessarily expensive structure, and more timber used in it than was necessary?—A. We make our bridges with four bearings, with 12-foot backing. For any purpose all we want to use is four stringers on and a 12-foot plank.

Q. What size are the timbers' stringers?—A. Generally flatted timber, four bearings on a 13-foot back.

Q. Now, your inclined way into the canal?—A. The same thing. For the carting up we put four bearings on a 13 or 16-foot plank.

Q. Did you consider there was any necessity for a platform like that to move the material?—A. I do not know where that platform was.

Q. It was above the bridge on the south bank?—A. Of course I have not the least idea what purpose that platform was put there for. There was nothing on it the first time I went there. The second time I went the centre pier was finished, but I was not there any time when they were getting the material. I may say that in getting into the canal ourselves we always build a structure and keep everything up to the structure. This year we built trestle work, and our tracks were all up to the level of the surface of the canal.

Q. You did not build a platform in the canal?—A. There was a trestle work built from the side of the canal to the track and connected with the yard, which ran right out on the level tow-path.

Q. In that system you would have avoided the large flooring in the bottom of the canal? By the system of keeping on the level bank you would have avoided all that platform?—A. We make a platform the same, but our platform would be at the top, theirs is on the bottom. Of course we lay two tracks, one in and one out.

Q. Were there many men working when you were there?—A. A great many when I was there.

Q. On what were they working?—A. Some were handling ice, and some were doing excavation in rear of both the north and south walls.

Q. Did you notice how the force was disposed, and whether there was a larger number of men than was necessary?—A. More than a contractor would have employed.

Q. Did you notice whether there was a larger force than necessary on the excavation of the Grand Trunk abutments?—A. They were at the Wellington basin side when I was there. I thought it was just about the same style of work all through.

Q. You thought from a contractor's point of view, that there was an extravagant amount of labour employed?—A. Certainly.

Q. As a contractor, supposing you had a penalty of \$2,500 a day—I am talking about a responsible contractor—and he was required under a penalty of \$2,500 a day to have the work finished in a certain time, what price would you place on these items?

Mr. ARCHIBALD.—I object to the question being put in that form, unless you specify a limit of time. If you specify the work on these particular bridges within 47 days, asking then what price he would put on.

Mr. DOUGLAS.—To open the canal on the 1st of May, the water being taken out on the 8th March—there was ice to be removed, estimated at 18,900 yards; crib-work removed, 6,700 cubic yards; masonry removed, 2,127 yards; earth excavation, 9,720 cubic yards—now, with water let out on the 8th March, and the contract to be finished the 1st of May, under a penalty of \$2,500 a day.

Mr. ARCHIBALD.—With the superstructure to be put on afterwards.

Mr. DOUGLAS.—All right. The preparations being made to start that work on the 8th March and to be finished by the 10th April. Now, what price would you put on per cubic yard for removing the ice, from your experience?—A. There is a question comes up—how far would I have to haul it?

Q. You haul it down on the basin; you deposit your material in the canal, either up or down the canal, or haul it out?—A. I suppose the big basin would be the natural dumping ground for the ice—the big basin down below.

Q. As a contractor, what would you consider the value of that work per cubic yard?—A. I would sooner handle earth in the summer time than ice.

Q. What is the value of earth in the summer time?—A. 35 cents a cubic yard.

Q. Then would you say that taking the ice out would be worth double that price?—A. About that.

Q. 70 cents a yard?—A. I do not think, especially if they had to work night work, that 70 cents would pay for handling it; \$1 a yard would pay for it, taking it all round.

Q. Now, the crib-work to be removed was frozen. What price would you put on the crib-work?—A. It would be worth \$2 a yard. It is far more expensive than rock.

Q. Then the removal of these masonry piers; they were frozen and had to be taken out with crowbars, and taken out by derricks in pieces. What price would you put on for removing the old masonry?—A. Our price for removing masonry in summer time is \$1 a yard, but at that time \$2 a yard would not be an extreme price.

Q. You did not see any excavation for the centre pier cribwork?—A. No.

Q. According to your ideas, generally, what price would you put for earth excavation?—A. Under these circumstances, I do not think \$1.50 a yard would be a big price, taking the whole lot. It would necessarily be wet and muddy.

By Mr. McLeod:

Q. Does that include the price of putting it back again behind the masonry?—A. No; merely the removing of it, just the excavation and carrying it away.

Q. It does not include the price of filling behind the masonry?—A. No; it is getting the hole ready to build.

Q. You saw the class of masonry there?—A. I wish to add with reference to the earth excavation, that I have not the least idea where that was put. If there was an extra long haul I think it would make a good deal of difference.

Q. It is about half a mile?—A. That price would not begin to haul it that distance. \$1.50 would not haul that stuff more than 600 feet, at the outside.

Q. What price would you put on the earth excavation, some on the bank and some hauled three-quarters of a mile, remembering the \$2,500 a day penalty?—A. We hauled material in Toronto where we had an asphalt road; we hauled it inside three-quarters of a mile and it cost us over 60 cents a yard, with no penalty. This was in the summer time, over a good asphalt road.

By Mr. Douglas :

Q. Then you would put about \$2 for the earth excavation?—A. To haul it that distance it would be worth \$2 a yard. This is work that we actually did, and it cost us 60 cents a yard to haul it over an asphalt road, about three-quarters of a mile.

Q. You saw this rock-faced ashlar and the masonry on those bridges?—A. That is what we are building ourselves.

Q. Now, what price do you think you would put in for the masonry?—A. I put a price on that masonry two years ago with Mr. Trudeau, and I do not see any reason why I should change it now. He gave me two months to complete the work. He asked me to give the value for it and I said \$25 a yard.

Q. That includes the parapet?—A. That included the mason work in those bridges, parapet and all. He told me that the principal part of it was the big tier, about 40 feet square.

Q. Now, what do you consider the value of the crib-work per cubic yard at that time?—A. How is it built, close crib-work or oak.

Q. It was open crib-work?—A. That work would be worth about \$2.80 a yard in ordinary circumstances, measuring the crib on the outside.

Q. Under these circumstances what price would you put—\$2.50?—A. The building would cost a great deal more. Of course, the stone filling need not necessarily cost a great deal more. I would say about \$3 a yard, taking it under the circumstances that were there. In doing it I would have it stand on the ground the fall before, ready to fill the crib.

By Mr. McLeod :

Q. Did you take into consideration that this was excavated a considerable distance down into the bottom?—A. That would not have anything to do with the building of it, it would not affect the cost of building.

By Mr. Douglas :

Q. In building with a building derrick, how many masons do you generally employ?—A. Well, a great deal depends on the size of the wall you are making.

Q. Taking the wall 36 feet long and averaging 10 feet thick, or 15 feet with a batter—how many masons?—A. With only a 36-foot wall, not more than four or five.

Q. I am talking about a hand derrick?—A. We do not use hand derricks at all now.

Q. These were hand derricks?—A. The smaller the derrick the fewer masons required. We never build with hand derricks.

Q. So that with a steel derrick, four or five masons is the most you would employ?—A. We have one wall this year, 300 feet long and 15 feet wide, with two steel derricks working together. They work eight masons on the two derricks. The two derricks work together on one car, one derrick caught the stone and the other hauled it up, and the two derricks employed eight men.

Q. Did you ever let out lock stone to cutters by piece work?—A. We cut all by the piece.

Q. What price do you pay?—A. On ordinary straight ashlar, according to the depth, we pay 35, 45 and 55 cents to the surface foot. A stone two feet wide on the butt is 35 cents a square foot, measured on the face of the stone. If it is three feet wide on the butt we pay 45 cents for the same face. The front face is the only thing we pay. We have stretchers of two different dimensions. For a stone measuring four feet and a half, backing the same, we pay 55 cents.

Q. Now, what would that average in piece work, take the stretching?—A. The whole thing would average about 47 cents. The stretchers would be about two to one of the headers.

Q. Did you ever estimate in that way the cost of cutting a lot of stone per cubic yard?—A. Take those other figures, and you have got it right there, say 47 cents for three feet of stone or about 16 cents a cubic foot.

Q. What would you consider the value of that rock-faced ashlar per square foot, as shown on exhibit C 52?—A. On rock-faced ashlar in single cutting, we pay 16 cents a base foot, similar joints and base and butts, too, without any chiseled draft-ing, or angles, or anything of that sort.

Q. Would you look at that masonry and see if the chisel draft is all on it?—A. I did not see any chisel draft on that, I mean at the angles of the piers, or corners of the piers. A chisel draft on the corner of the piers, we pay extra. When I raise the question of chisel draft, I mean chisel draft done on the angle of the pier and faced off. Wherever we build a piece of rock faced work there is a plumb on the corner of three or four inches. That is paid for at so much a rising foot, according to the width.

Q. What force of stonecutters do you think would be required to cut 2,000 yards of masonry, starting on the 26th January, and ending the 5th May?—A. Of course, if I was going to cut that stone I would want to know what wages the men earned. It would be simply figuring out the number of men that it would take to cut the stone. We started to cut on the 9th January and worked on a time limit; we put on four times as many men as we found we should have needed when we got done.

Q. If you take the price per square foot for piece work and for lock stone, rock faced ashlar, you would have to put on an increased number of men?—A. Certainly. But I would not figure to cut it in the given time; I would get on my help to cut in a third of the time required, at the very least.

Q. But the number of men would be estimated by dividing the prices you have given?—A. Yes. Of course, we have it right down, the number of feet that a man will cut of each class of work; the number of feet every man will cut is in the book every day.

Q. How many feet a day does a stonecutter generally cut, boucharded work, lock work?—A. A man on those figures would average about \$2.75 a day on the average. Dividing that by the 47 feet, will make the number of feet. We have men working on those same figures that will earn \$5.

By Mr. McLeod:

Q. Does that include the rock faced ashlar?—A. Men will do fully as much work on the rock face, on those figures, as the other.

By Mr. Douglas:

Q. How do your timekeepers send in their time-books, and how does your pay-master pay?—A. The timekeeper has every man's name and the hours he works every day.

Q. Is that made in a list at the end of the month?—A. It is made in a list every night.

Q. Please look at the Grand Trunk list. Is it usual to see in a pay-list such a large number of unbroken hours?—A. It depends on how men are working. We have men working right straight along, no matter what the weather is, of course, they have full time. They work right straight along, rain or shine, and our pay-list for the month of April would show full time, and March the same. From the 20th of April until the 1st of May they will show full time all round. This spring our pay-list from the 20th March to the 10th May will, probably, show full time, because our men work whether it rains or shines. In rainy weather they get paid extra time.

Q. Have you employed night and day gangs at any time?—A. Only when something has broken down—in case of accidents. In that case we pay a man a time and a half if he works until 12 o'clock; and if he works the whole night through we pay him two times for the one.

Q. Suppose a man has not worked all day, but starts in at six o'clock and works until morning?—A. We have no such men. It is only in case of accident, or when a break on a canal occurs. We get orders to go ahead and fix it, and we have to take our day gang. We have no such thing as a night gang. We say to those men:

You have got to work on that until it is finished. They work ten hours for a day's work, and if they work all night they get two days' time for it.

Q. Is that the general practice on the canal?—A. That is my rule. No matter what the work is, working for the government or anybody else, we get the same time. If a man has worked all day, and then works from six or seven until midnight he will get seven hours and half for the five hours he does after his day's work is completed. If he works until six o'clock the next morning he gets twenty hours for the ten. That is what we pay ourselves.

By Mr. McLeod :

Q. That is what you call overtime, I suppose?—A. Yes. Our pay-list can be turned up at any time. When we want a man we tell him that he has got to work.

By Mr. Douglas :

Q. I omitted to ask you if, on the price you gave, you included the false work, the cofferdam and the unwatering?—A. False work is not a cofferdam. You refer now to the price of \$25 a yard for masonry. According to our practice there would be a bulk sum for unwatering those piers. That price of \$25 a yard is simply for building the masonry and furnishing material for it.

Q. At what price would you build the masonry in the summer?—A. Our present price is \$12.50 or \$14.50 a yard for the same character of work.

Q. So it is nearly double in winter?—A. I figure on its being about double.

By Mr. McLeod :

Q. With regard to the unwatering, I suppose you knew the water was to be let out of the canal and that there would be a stream of water about two feet deep running through the canal from a mill above, and you would have to excavate 12 feet?—A. I would not like to put a figure on unwatering. It would require a good deal of study.

Q. You might put a round sum upon it, make a guess?—A. We are not accustomed to make a guess like that. That would be a straight guess.

Q. They had to build a cofferdam for the lower crib?—A. There are a great many things to take into consideration. There is the size of the cofferdam, and the extent that they will have to get the cofferdam away from the mason work, and the room they have to crowd the water into between the other two sides of the canal. I could not make an estimate. It would be simply a straight guess.

Q. How long have you been contractor?—A. About 22 years.

Q. What kind of work have you been principally engaged in?—A. Most canal work.

Q. On what canal?—A. The Rideau, Lachine and Cornwall.

Q. About how much cement goes to a yard of rock ashlar?—A. We build from two to two yards and a half to a barrel.

Q. How much sand to a yard?—A. There would be twice the quantity of sand. We might say there is half a barrel of cement and a barrel of sand to a yard of masonry. If your courses are very high you will get a little more masonry to the same quantity.

Q. How much stone?—A. It takes about a yard of stone to make a yard of masonry. The sand and cement don't amount to anything.

Q. In a wall about 15 feet thick on the average, what is the average proportion of faced stone to the backing?—A. About one foot of faced to four yards of backing.

Q. Have you ever had occasion to employ labour in Montreal?—A. We did on the Lachine canal employ a good deal of labour.

Q. What is the average price for good labourers in the spring of the year, say from January to May?—A. We paid this spring \$1.25. We have paid here at Montreal from \$1 to \$1.50.

Q. Have you paid higher than \$1.50 for good labourers?—A. Not an ordinary labourer.

Q. What is the duty of a superintendent?—A. What he was hired to do.

Q. He has to take orders from the engineer, has he not?—A. I cannot say that at all. I have got different superintendents myself. Each man has got his own work to do.

Q. But they are all under the order of the engineer, are they not?—A. It is just this way: I hire a man to superintend all my machinery and he takes orders direct from me. His orders are: you take care of the machinery and keep it in good order. If you want anything, come to me. I take another superintendent and his order is just the same. Their work is specified. If anything turns up of consequence they come to me and discuss it, and I let them know what to do.

By Mr. Atwater:

Q. Did you see these works at the Wellington street crossing while they were going on?—A. I cannot say I did. I saw them a few days after they commenced, and then once again when the centre pier of the Wellington bridge was completed.

Q. The abutments were not finished?—A. I could not say positively.

Q. I think you said you were spoken to by Mr. Trudeau with regard to that work?—A. About two years ago.

Q. What did he say?—A. He simply asked me about what the work would be worth, the masonry of the centre pier.

Q. What figure did you give him?—A. I gave him \$25 a yard.

Q. Under what circumstances did you contemplate doing that work?—A. To do the work between the 1st of March and the 1st of May.

Q. That is just the masonry work?—A. No, that is to complete the bridge, take the water out on the 1st of March, and have the bridge open for navigation on the 1st of May.

Q. Are you prepared to take a contract under those circumstances?—A. Yes.

Q. At that time was there anything said about the Grand Trunk bridge?—A. No. It would not alter the value of the work a bit. It would make no difference so long as it was only a question of employing more men, and as long as the work was not deeper or higher.

Q. What was said with regard to the depth at that time?—A. 20 foot navigation. That would be 21 feet.

Q. It was afterwards altered to a 24 feet navigation; would that make a difference?—A. Yes.

Q. Do you think you could have done it within that time?—A. It could be done. Of course, more work would have to be put on.

Q. As a contractor, would you like to have undertaken the job between, say, the 8th March and the 1st of May?—A. I would, decidedly, at those figures.

Q. Suppose the depth had been increased by two feet?—A. I would have asked for an increase in the price.

Q. What price would you have put on?—A. I would not answer that question without the figures.

Q. Approximately?—A. There would be an increased price on the whole thing.

Q. And that would have altered your calculations?—A. Certainly.

Q. And the harder it would have been to do it within the time?—A. Certainly, because the more work you would have to do. Making the pier high gives you more work to do in the same time; making it longer would not affect it.

Q. Do you mean to say it would have made no difference in your calculation whether you had the abutments to the Grand Trunk bridge as well as the other?—A. Not at all. We would have had to employ more men.

Q. It would have increased the total price of the contract very materially?—A. I would not have charged any more per yard.

Q. How many men do you think could have worked there?—A. I could not answer that question.

Q. A thousand men?—A. I would not attempt to answer that question. That would take a lot of figuring.

Q. How many men are you in the habit of working yourself?—A. I have employed as many as 1,200.

Q. When the work has to be done in a hurry, is it necessary to employ more men to rush it?—A. No, not necessary to employ more than enough.

Q. But as long as you can find space to work them?—A. Certainly, in a hurried job you will employ all the men that you can find space to work in.

Q. Now, in speaking of the ice removal, I think you said that you would calculate about \$1 a yard?—A. Yes.

Q. What thickness of ice did you allow for in that calculation?—A. It would not make any odds.

Q. Would it make any difference supposing the ice had to be hauled up and lifted to the top of the canal?—A. I would have taken the ice out of the canal while the water was in it.

Q. But supposing you had to take the ice out of the bottom of the canal?—A. If you had to lift it out of the bottom, it would make it more expensive.

Q. How much more expensive?—A. It depends upon whether you cart it or take it out by derricks.

Q. Apart from the right way to do it, supposing it had to be lifted?—A. If you had to take it from the bottom of the canal instead of the surface of the water, it would certainly increase the cost of removal.

Q. By how much?—A. If you had to cart it, it might increase the cost four or five cents a yard. If you lifted it in derricks to be taken out in big lots, it would not make a great deal of difference.

Q. You thought \$1 a yard would cover it all round?—A. Yes.

Q. The crib work that had to be removed is more difficult of removal when it is frozen?—A. Decidedly.

Q. In making your estimate did you allow for the season of the year and all the circumstances?—A. Yes, I said so. I said the work would be fully double the price of rock.

Q. And the same may be said of the masonry, I suppose?—A. Yes.

Q. Is it your experience, when a large number of men are employed on a work, that there is a certain amount of loafing amongst them?—A. Decidedly.

Q. Is it always possible to prevent it?—A. No, not at all possible. There is always a certain amount of loafing, no matter how closely you watch them.

Q. Supposing a thousand men were employed on a job, you would expect to get some loafing, would you not?—A. For a fair average I would say about 5 per cent of the men would be doing nothing.

Q. All the time?—Yes.

Q. In spite of the best supervision?—A. In spite of the best supervision we can make. We always keep discharging them.

Q. When you made your calculation as to the cost of this masonry, of which you spoke to Mr. Trudeau?—A. I did not say I made a calculation. Here was a piece of work to be done in a hurry, and I told Mr. Trudeau it would be worth fully double the prices of doing it under ordinary circumstances, that would be about \$25 a yard. My calculation was no more definite than what I am saying here now in conversation.

Q. Then if you had made a calculation you might have found that you could not do it even for those figures?—A. I would be satisfied to take it at those figures. I named the figure.

Q. When you named that figure, when did you contemplate bringing up your stone?—A. My stone would have all been delivered there in the fall.

Q. Supposing you had not had that stone delivered in the fall, and had to cut it later on as best you could?—A. Put your question in a different way, more definite.

Q. That is definite enough for you to answer?—A. I cannot answer it.

Q. Supposing you had to bring the greater quantity of your stone after you had taken the contract, that is, after January?—A. When was the contract given?

Q. Supposing it was given at the end of January?—A. It would altogether alter the whole circumstances.

Q. Supposing the contract was given at the end of December, or 1st January?—A. No difference in that time. You were talking of a contract given some time during the summer, June or July.

Q. This figure you gave of \$25 a yard contemplated a contract arranged in the summer previous?—A. Yes.

Q. But if the contract had been arranged only in December, it would have altered all your calculations?—A. Most assuredly.

Q. Would it have increased your calculations?—A. Decidedly.

Q. By about how much?—A. I would not begin to say. It would be a different thing altogether to figure on.

Q. Explain why it would be a different thing?—A. In the first place, quarrying the stone would have cost a great deal more. You would have to use more plank to get ready—in every way every item that you could mention on the whole works would be increased in value. You would have less time in which to prepare and more contingency of the men going on strike. It would not be the same work at all.

Q. It would not be the same work, would not be the same job, and it could not be done under the same process?—A. No.

Q. You say you would have been prepared to take the contract at the rate you have mentioned?—A. Yes.

Q. At the time you spoke to Mr. Trudeau about it?—A. Yes.

Q. Supposing you had been spoken to about doing the work in December of the same year, or in the winter in which the work was done, would you have quoted the same figures?—A. No, decidedly not.

Q. Would you have been prepared to take the contract at any price?—A. Yes.

Q. Can you give an estimate, as you did to Mr. Trudeau, of about how much you would do it for?—A. No, when you limit it to that time, it alters the whole circumstances of the case. When I give those figures I was supposing that the work would go on in a seasonable time. Letting that work in the month of December or January, to do it by the 1st of March, was not a seasonable time at all. Masonry work that we will do next April, we will begin to prepare for next month, getting our material all on hand. For work that we did last spring, the material was all piled on the ground about the 1st December.

Q. But if it was a public necessity that the work should be done and the contract had to be let in December, your calculation about the job would have been on a very much larger scale?—A. Possibly 50 per cent, to double the other estimates.

Q. In other words, you would not like to have contracted to do this work for less than \$37.50 to \$50 per cubic yard?—A. No.

Q. Now, when you were at those works did you have any opportunity of looking at the false works?—A. No, I did not. I did not spend, possibly, half an hour on the works at either time.

Q. Do you know as a matter of fact, in your experience as a contractor, whether, in canal work of this character, a large amount of false works are a necessity?—A. What do you mean by false works?

Q. I mean temporary works like platforms and dams and temporary bridges?—A. Dams to make a foundation are a necessity.

Q. Are temporary bridges a necessity?—A. Of course there is a necessity in that case, as there is in all cases. It all depends on the locality, the convenience of your piling ground, and how you have to get your material in.

Q. What do you say about the locality there?—A. The piling grounds were a good distance away. It was necessary to have a certain amount of temporary bridges and roll ways to get the materials in.

Q. It is a pretty busy part of the city there?—A. Yes.

Q. There is not a great deal of superfluous room around?—A. No.

Q. You had to have some means of letting the public cross that canal during the time the work was going on?—A. Certainly.

Q. Then under all those circumstances, do you say that temporary structures such as I have mentioned, were a necessity?—A. Certainly.

Q. These temporary structures, from the character of the work that was being carried on, would be necessarily larger than on many other works, would they not?—A. Larger than on a smaller job.

Q. But supposing the same sized job where the locality was different, or out of the city?—A. If the locality was different, a smaller structure would suffice. In order to make a comparison of the necessities you would have to specify distinctly the circumstances of the two places.

Q. So you would not like to say whether the false works were a necessity or not?—No.

Q. When you mentioned these figures to Mr. Trudeau did you take into consideration any false works?—A. That would cover all the works that would be necessary to take that material in or out for building the masonry. I simply gave Mr. Trudeau an estimate for building the mason work. In that work there was nothing in the way of coffer-damming or anything of that kind brought in.

Q. You did not take into account anything connected with a cofferdam?—A. No. Cofferdamming is unwatering.

Q. Did you take into consideration the cost of the removal of the old cribwork or masonry?—No.

Q. Did you take into consideration the cost of the removal of ice?—A. No.

Q. Did you take into consideration the earth excavation?—A. No.

Q. Those figures you gave were simply for putting up so many yards with masonry?—A. Yes.

Q. Now, there are 4,370 yards of masonry alone, according to calculations that have been laid before the commission here, in connection with these works. Doing this work in the winter, or in the fall of the year previous, at the prices you have mentioned, you say that you would not like to have undertaken to put in that masonry alone for less than \$200,000?—A. Yes, I would like it for a job to build the masonry alone.

Q. How much would you like to undertake it for, making the contract in the month of December?—A. Making that contract in the month of December, that masonry could be built for \$35.50 a yard.

By Mr. McLeod:

Q. Supposing the stone was delivered on the ground by contract at certain prices?—A. Then you bring it down to the exact cost of building.

By Mr. Atwater:

Q. Did your estimate of the masonry include drawing the stone?—A. My estimate included everything; I furnish everything and build the mason work. Of course, the whole thing amounts to how much you have to contend with. If the contract was let on the 10th January instead of in the summer time, you would have to consider the risk of a strike. If a man was under penalty of \$2,500, and the contract was published all over the country, he would have to go the full length of that penalty in order to secure himself against the risk of a strike. I would put \$2,500 extra on the cost of the work so as to provide against contingencies.

Q. Any prudent contractor would do that, I suppose?—A. Certainly.

Q. Do you know what the temporary bridge that was constructed there was likely to cost?—A. No.

Q. As a rule, where false work or temporary works are used, do the remains of those works always remain on the ground?—A. We have never done anything of that kind except for ourselves, and we use the material over again.

Q. You use it like plant?—A. Exactly.

Q. Do you know whether there is danger of these things being carried away?—A. Yes, there absolutely will be danger.

Q. That is your experience?—A. My experience even now on our own works is that planking and anything portable will be carried away.

Q. As a contractor, you find it extremely difficult to stop that?—A. It cannot be stopped. A certain amount of material will be lost or stolen.

Q. I do not suppose even the government could stop thefts of that sort?—A. It will cost you pretty nearly as much to have watchmen to guard it as to let it be stolen.

Q. In other words, in a work of this sort, if you want to have an adequate force to guard the debris and material, it would cost as much as the material is worth?—A. Yes, very often.

Q. You said, I think, that you would not like to put any figure on the coffer-damming?—A. No.

Q. Do you know whether there were any special difficulties connected with the coffer-damming?—A. I do not.

Q. Would it be an expensive job if the cofferdam was flooded at times during the work so as to delay work for ten days or so, by the backing up of water from the river?—A. There would be delay at that time. I do not know what the expense would be to protect it against flooding. It may be very expensive. If you simply had to pump it out again, it would not be such a great matter to protect it against floods.

By Mr. Archibald:

Q. I presume that all your calculations are based upon your own special circumstances?—A. Yes.

Q. You have been a contractor and have got a force of organized labour around you, have you not?—A. Yes.

Q. Do you think it would make any difference as to the possibility of doing work of that kind with the same efficiency you could, if it was to be organized in a hurry with green men?—A. Certainly. As I say, if the work was let in the month of January to be finished on the 1st May, it would have increased the cost.

Q. Taking the case of Mr. Kennedy, the superintendent, being obliged to organize a force in a hurry to perform that work, do you think it could be done with the same efficiency as under ordinary circumstances?—A. It would not compare at all.

Q. What reason would you give for that?—A. He has got to take men whom he does not know anything about; he has to take them at what they represent themselves to be, or what somebody else represents them to be. When he has them he has got to do the best he can, because he has no time to change them.

Q. Do you think there would be a loss of 25 per cent in the efficiency of the men?—A. I cannot make a figure that way. There is too much guess work. There would be a loss besides. He could not get the same work out of a gang of men under those circumstances. We could not begin to compare at all.

Q. In calculating a little in your own mind what you think these works would be worth, did you consider the probability of being obliged to work at night?—A. Yes.

Q. And to work on Sunday?—A. Yes.

Q. Now, in the construction of cribwork, for example, particularly when it is done in a hurry as this work was done, would there be a considerable loss of timber?—A. It depends upon how the timber was bought. We buy according to dimensions. If the work was given in time to buy the timber it could be bought at the dimensions required. If the work was given in the month of December you would have to take such as you could find.

Q. There would be a considerable loss in the lengths of the timber used?—A. Yes.

Q. Could you estimate any approximate percentage of what such loss would likely be?—No, it depends upon the market where you buy.

Q. Take what you know of the market last winter, considering that this work had all to be arranged for between January and March, would you think 10 or 15 per cent an overestimate of the loss by waste in the construction of the cribwork?

—A. Well, I should think 15 or 10 per cent would be a pretty good overestimate, a big estimate of the loss. Of course, I do not know the dimensions of the piers you are building, or the size of the timber you are using. It is impossible to say what the waste will be. It depends in the first place on the dimensions of the timber you are using, where you are going to buy. If I could select from a raft of timber and wanted a dozen different lengths, I could pick it out as I pleased and there would practically be no waste.

Q. But if there was no time for the special selection of timber?—A. If I had the different dimensions of the work to build, there would be time for selection, for the man hauling this timber would select it.

Q. If you had a contract to build such a work, and you had no materials ordered and no timber of proper lengths?—A. We always buy the timber of the lengths we require.

Q. But supposing you were obliged to gather up timber from every source?—A. Then a great deal depends on the different dimensions of timber you require. If you have a great many dimensions, then your loss is small; if you have only one or two dimensions your loss increases.

Q. In building cribwork where the dimensions were entirely 12 by 12?—A. Then, if a man was building cribwork 12 by 12, he would buy timber of 14 or 15 inches.

Q. Would there not be a loss in the different pieces in the overhanging?—A. It depends on the length of the crib.

Q. Did you have occasion to notice how the men were disposed?—A. No, I did not. I only went across that bridge twice.

Q. Was Mr. St. Louis with you at the time?—A. No, the only man I met was Mr. Douglas. I wanted to see him in reference to the old bridge.

Q. Was that in the month of March?—A. No, I think it was in the month of April. The old bridge went up to Cornwall, and I wanted to see something about it. It was going on our works.

Q. Are you acquainted with the superintendent, Mr. Kennedy?—A. I have met him sometimes when we were working on the Cornwall canal, but I do not know him intimately.

Q. When you were upon that work last winter, did you think it could be or would be constructed so as to allow the canal to be open on the 1st of May?—A. I did not think much about it.

Q. In an excavation, say, of 90 feet long by 22 feet in width, an oblong excavation where the earth is taken out by tubs and derricks, how many men could conveniently work?—A. Twenty or thirty.

Q. Pick men, I mean?—A. Yes, a man has got to have room to move around.

Q. How much room does a man require to move around?—A. You cannot work a man in less than 3 feet by 6 or 7, or 21 square feet. Then you will have them very close. When you come to look at it, you cannot work men so close as that. You cannot work them that close, because there would be no room to put the tubs between them.

Q. That calculation would give room for 94?—A. When you come to look at it you could not put them there.

Q. In reality could you not put half as many?—A. That would be a big number. I cannot answer your question at once; you have got to take the size of the tub you are working with and a lot of those things.

Q. Taking an excavation 90 feet long and 22 feet wide?—A. You could work there about 45 men.

By Mr. Douglas:

Q. With regard to the stone-cutting and the price of masonry, the contract price for the supply of stone on the ground was \$6.50 for face stone and \$4.25 for backing, on the Grand Trunk bridge. This was delivered on the ground at \$6.50 and \$4.75 for one-third of the masonry?—A. I understand you to mean this: Taking the stone delivered at the contract prices that I have been shown. You have

given me the piece-work price for cutting stone, add your expense of laying—of course the mortar is included—you then come up to the value you have given Mr. Atwater of \$37.50 a yard. I say the price \$37.50 is not the value of the work. It is the value of the risk that you may take of the \$2,500 a day demurrage, with damages added on the limited time that Mr. Atwater gave me in which to do the work. The next way you put the question is: Take the stone delivered under these contract prices, the stonecutters working for you by the day, understanding that a working day's work for the government, what would be the value of the cutting? I say from three to four dollars for piece-work, and the building at the same proportion. Mr. Atwater put the question: Suppose that the work was given to you in the first part of January, or the end of December; then put your condition on top of that of paying \$2,500 a day damages. Then I say that I would increase my cost and bring it up high enough to cover all those damages.

Q. Now we come down to actual facts. One-third of the faced stone was supplied at \$6.50, and the backing at \$4.75. The other three parts being \$4.50 and \$2.70, would make the average on the whole job about \$5 a yard for the stone. Now, how much would it cost?—A. If the stone-cutting was given on the same condition as Mr. Atwater put the other work—

Q. Of course the stonecutters were at work here. Suppose this stone was supplied to you in January and you have a sufficient force of stonecutters, what will it cost to cut that stone?—A. But would the stonecutters be working?

Q. They are working here; the government officials paid high prices?—A. Do you mean that the stonecutters knew they were working by the day for the government?

Q. Yes.—A. I would not give you an estimate. We have a little piece of work at Cornwall by the day. The men know that it is work by the day and they take advantage of it. No, I would not undertake it. Immediately the men go on, they know they are working by the day and I could not keep them at work. I have to build it twice.

Q. Are you aware that there was a contract for labour here, that the labour was to be supplied, stonecutters, masons, labourers and all that sort of thing, that the government is not responsible for the labour in any way, not responsible for the quantity of labour supplied? I am talking on that basis, that the men would be discharged if they were inferior. Now, what should be the cost of that masonry when the stone is laid down on the job at \$5, and good masons supplied by the contractor?—A. With the stone laid down to you after cutting, and putting stonecutters on who know that they are working by the day for the government, then you can safely estimate that cutting anywhere from three to four times the cost of piece-work.

Q. Now, the piece-work price was 15 cents for rock face?—A. 15 or 18.

Q. Say four times.—A. That is 72 cents.

Q. Now, how will 72 cents and the price of this stone as supplied make \$37.50?—A. I was taking the risk of construction. I do not say the work would cost that. I will give you another instance.

Q. I do not want instances at all, I want facts. Here is a certain amount of stone supplied; it is supplied at a certain price. You have said in your testimony now that it was worth 18 cents at ordinary times.

Q. Multiply that by four and it makes 72 cents. Now add that to the price of stone purchased, and what is the laying worth at that time of year?—A. What is the question you want me to answer?

Q. I have given the cost of stone-cutting, now you state 72 cents.—A. I say now that with the stone supplied on the ground, the men working by the day, knowing that they are working day's work for the government—it would cost anywhere from three to four times what it would cost if they were working by the piece.

Q. We have got that down 45 to 70 cents a square foot. Now, what is the price of laying per yard?—A. Under the same circumstances, the men knowing they were working by the day, ordinary mason work costs us in the neighbourhood of \$1.25, when the men are working for a contractor. You are trying now to make a

comparison between the figures I gave Mr. Atwater of \$37.50 a yard. Now, you must remember that these figures are based on the supposition that the work was let sometime about the end of December or the 1st of January, with a penalty, to do the work inside a limited time of \$2,500 a day damages. Now, as a contractor, I would not take any risks. I would put such figures on it that I could go anywhere and put the prices up so high that I could swarm the country with every class of mechanics I wanted. It is not a figure of the value of the work at all, it is a figure that would secure me against any risks and obstruction. I do not say that \$37.50 is the cost of the work by any means, I say that it is a figure that will put me absolutely on the safe side. But there is no comparison between the price you are arriving at and the price of \$37.50.

Q. You have stated in your evidence that it would cost four times under government work the price of face measurement?—A. Three or four would be a fair value, and four times for laying.

Q. Do you add the cost of the stone?—A. Yes. When I say \$37.50 under the penalty, I do not mean that is the cost at all. You must remember that I am saying that under the circumstances I would put on such a figure as would enable me to go outside and bring in labour and override strikes.

By Mr. Atwater :

Q. If the government had gone to you as a contractor, would you not have named a less figure than the one you mention now?—A. I would name such a figure that the chances would all be on my side. We tendered here on the Lachine bridge for the C.P.R. The penalty was \$100,000 that the work would be done on time. We had our figures made out under ordinary time, I went to some of the people in connection with the bridge and asked them: Would they be satisfied, if there was some unforeseen obstruction or difficulty that we could not figure on, if in that case I supplied the money and let them do the work. They said: No, what we want is a man that will undertake to make the bridge in that time under a penalty of \$100,000. I said: Under those conditions, I put up my price \$100,000.

By Mr. Douglas :

Q. Then, as I understand you, you consider the government were quite correct in doing the work by day's labour?—A. Decidedly.

By Mr. Emard :

Q. Referring to the cut stone, have you seen the place where the stonecutters were working?—A. Not in any sheds. I saw some stonecutters working as I was going on to the Wellington bridge, on the right-hand side as I went to the bridge.

Q. You say that in the case of stone-cutting, the handling of the stones is a part of the price?—A. The cost we pay for stone-cutting has nothing to do with the handling of it, the handling is besides. We handle with a derrick.

Q. If you had no derricks and you had to remove the stone by hand under a shed, do you think it would be more expensive than by using derricks?—A. Decidedly.

Q. And if the stone has to be removed several times for want of space?—A. The oftener you handle the more expensive it would be.

Q. In any case, even if it is not for the government, would not the stone-cutting cost dearer by day's work than by the yard?—A. Decidedly.

Q. Now, about the question of overtime. Suppose a man had a contract with a proprietor to furnish him labour at certain prices, with an additional list of prices to cover overtime, and the contractor goes to work and furnishes the labour. As the work goes on the contractor is requested to furnish a night shift gang of men; would you consider that the price fixed for overtime would apply to these men?—A. —If the man agreed to furnish labour for the day, and he was called on afterwards to furnish labour for night work, I would not consider that the same price should rule.

Q. If it is not specified that it is for day work, would not the mere fact of mentioning a special price for overtime indicate that it is the intention of the party to furnish labour for day work?—A. No; I will tell you what I do myself and you can make your own inference. Where we have men working regularly at night work we pay them exactly the same as for the day. We have not a great many on night work, but where we have men working night work they get paid exactly the same rate as they do for day work, that is, where they work continually at night, and do no day work.

Q. What occupation do you give them?—A. Watchmen, and things of that kind.

Q. But you stated in your examination in chief that night men ought to be paid dearer.—A. I said where there was a break in the canal, or any case came up when I had to work a gang of men continuously, suppose they were working all day and there was something that required night work, I would work them all night, and then they would get paid double time. If a man worked from 7 o'clock to 6 at night, and then worked until midnight, we pay him a time and a-half, and then if he kept on working until to-morrow morning we pay him double time.

Q. But if the work is pressing, and you have no special gangs for night work, would you not expect to have to pay more wages for those who were working at night?—A. Under the circumstances, while the work had to be done that way on a short piece, I should expect to pay more for it, certainly. In tendering for that labour I would not have tendered at the same price for men working night work as for men working day work.

Q. You remember the severe cold we had last winter?—A. Yes.

Q. Do you think a labourer can stand being in water for four or five hours without coming out to warm himself?—A. No.

Q. How long could he remain working in water with a pair of rubber boots?—A. A couple of hours at the outside; then he would have to go and rest and warm himself.

Q. Then if a man has to go and rest and warm himself, it is proper to have another man to replace him, when the work is pressing?—A. That depends on the hurry of the work.

Q. But would it not be well to have a little larger number of men than would perhaps be able to work in a given space, in order that they might relieve each other?—A. If you had work to do that absolutely required a gang of men to work in a particular place, and keep that work going on continuously, certainly you would have to have different gangs of men. A certain gang would work in the water for an hour or two, then they would come out and another gang go in.

Q. Coming back to the question of the stone, would it not increase the cost to be obliged to take stone from the place where it was cut to the place of construction, piece by piece, for want of yard room; it would be taken, I understand, alongside of a railway track?—A. I do not see the drift of your question. You mean when the stone is piled up in the yard after being cut?

Q. Yes, take it piece by piece?—A. That is the only way you would take it. You only take it as you are using it.

Q. Would it not be cheaper to have a yard to pile it in near the works?—A. No. We would not pile it within reach of the building derrick, certainly.

By Mr. Atwater:

Q. You have said something about men working when they knew they were working on government work, costing three or four times as much; why is that?—A. If it is known, they won't work.

Q. Is that your experience always?—A. That is my experience. My experience of labouring men is that they do as little work as they possibly can for the wages you give them.

Q. It is not surprising to find them trying to avoid labour?—A. No. I speak of men generally. Of course we get many good exceptions.

Q. In spite of all the supervision you can make?—A. In spite of all the supervision you can give.

Q. Now, how much profit would you calculate on in the building of this masonry at the price of \$37.50 a yard?—A. In doing that work a contractor would not figure on less than 20 to 30 per cent profit to himself. This \$37.50 would allow a profit of not less than 20 per cent, under any circumstances—at least 20 per cent would be my own profit.

Q. Then the cost, as I understand,—?—A. I say that cost of \$37.50 is to cover the risk of strikes. It might not cost me that extra \$12.50; I might have the whole of it for profit.

Q. That is, the extra between \$25 and \$37.50?—A. Yes, it might possibly be all profit.

Q. From your knowledge as a contractor and in your experience in this sort of work, what would you estimate that this masonry should have cost the government, doing it as they did, and at the season of the year in which it was done?—A. I could not make an estimate, of course I have given you as a fair figure from three to four times what it would be actually worth, men working under those conditions. It might have cost three or four times what it would have cost the contractor.

Q. Then it might fairly have cost the government, how much per yard?—A. Well, under the circumstances here, with the stone and everything delivered, just take and figure out the answer I have given into cubic feet, and you have the answer.

Q. When you made this calculation of \$37.50 what depth did you provide for?—A. You are coming back now to the figures of \$25 a yard that I gave to Mr. Trudeau.

Q. You calculated on 20 feet of water?—A. Yes.

Q. You increase that by three additional feet depth?—A. Every additional foot would add to the cost. Of course, adding Mr. Douglas' \$2,500 a day penalty, would add that much to the value of the work. If the government took me under that risk I would simply add that risk to my price. But that is not to say that the work would actually cost that much. If there were no strike or anything of that kind, the penalty would all be profit to the contractor.

By Mr. McLeod:

Q. Do you think it would be wise or necessary to make a penalty of \$2,500 a day?—A. I do not think so unless it was something very urgent. I only say if there was a penalty to that extent put in the contract, I would add the penalty to the cost of the work.

Q. Taking into consideration the practice of contractors in Canada anxious to get work, what would be a fair penalty?—A. I do not know. The more the contract, the bigger the penalty ought to be. When you put a penalty of \$2,500 a day on a contractor, that fact is published throughout the country and it might tempt all the trades throughout the country to go on strike and make the contractor pay more wages. They would say: It is just a question of how much wages we can get out of him before we absorb that penalty.

Q. You do not think it would be a wise thing to impose that penalty?—A. I do not think so at all.

And further deponent saith not.

Commission adjourned till Monday next.

S. A. ABBOTT, Stenographer.

LACHINE CANAL INQUIRY.

MONTREAL, 24th July, 1893.

The commission met at 10 o'clock.

Present:

Messrs. McLeod, Douglas, and Vanier.

H. J. BEEMER, being duly sworn, deposed as follows:—

By Mr. Douglas:

Q. You are a contractor of long standing and experience, are you not?—A.

Yes.

Q. Both in the United States and Canada?—A. Yes.

Q. You have done a considerable amount of public work, have you not?—A.

Yes, considerable.

Q. And have had numerous contracts with the government?—A. Yes.

Q. You have built a great number of yards of bridge masonry?—A. Yes, a very large number of yards.

Q. Were you a tenderer for the Wellington street bridge and renewal of the masonry on the old lock no. 1?—A. We tendered for the stone on the Wellington bridge and the old lock; not for doing the masonry. I don't know that there were any tenders asked for doing the masonry.

Q. You tendered for supplying the stone?—A. Yes.

Q. C 29 is a schedule of tenders. I presume the second tender on the list is yours, is it not?—A. The first tender.

Q. Were you prepared to deliver that stone for those prices to lock no. 1?—A. Yes.

Q. Were you prepared also to furnish that stone out if you had been asked to tender? At the date you put in that tender were you prepared to put masons at work for lock no. 1?

Mr. ARCHIBALD.—I do not see what importance that can have in the case.

Mr. DOUGLAS.—We will find out.

A. I have quarries at Terrebonne, and I take contracts for delivering stone of any kind or dimension, cut to any classification, cut to order; and I would have been prepared to undertake it with sufficient time. The 7th December—yes, I would have been prepared to take it at that time.

Q. Would you have been prepared to deliver that stone on the 11th March and to keep the masons going without any stoppage, for the supply of stone?—A. I would have been prepared to tender, yes. As I understand the question, you want to know if I would have been prepared to quarry, cut and deliver on the site, for the work commenced on the 11th March, and keep that work progressing to be finished in the time specified—yes, I would have been prepared to do that.

Q. Now, with regard to lock no. 1 stone, that is ordinary lock ashlar; for what would you have been prepared to furnish that stone on the job per cubic yard, cut?—A. It would have been simply adding the price of cutting to that, and to have taken the responsibility, which would have been somewhat more, for the procuring of cutters, &c. Of course we have not a large number of cutters in that part of the country. I should say not less than \$11 to \$12 a yard, that is speaking roughly. I have had no time to think over this thing, but I should say that would cover it.

By Mr. McLeod :

Q. You understand the class of cutting, this boucharded stone?—A. Yes; I am speaking now particularly of taking the whole classes of stone together—say, \$12 a yard, that is, taking not only the ashlar work, but everything else.

Q. You mean the ashlar for the bridges?—A. No; I am talking on lock no. 1.

By Mr. Douglas :

Q. I want to keep the two inquiries altogether distinct?—A. I should put it higher than \$12. Six dollars and fifty cents was the price for stone. My idea of \$11 or \$12 would be to include the whole stone that is asked for on the Wellington bridge and lock no. 1.

Mr. ARCHIBALD.—I don't want to interrupt the progress of the commission, but I do suggest that it is not fair and it is not under our jurisdiction to inquire into what would have been done under a very different set of circumstances from that which really existed on the canal. Mr. Beemer was not asked to tender for the supply of this stone as cut; he was asked to tender for the supply of it in its rough condition. Now, what does the commission desire to arrive at? Is this inquiry intended to find out whether the government have been guilty of improper or imprudent measures, and of giving the stone out by contract and getting it afterwards cut by day's labour? It appears that the only object of this commission was to inquire into the facts as they actually happened. The government does not require to be instructed as to whether they should give out contracts by tender or do the work by day's labour. What you want to inquire is as to what actually happened, whether there has been any waste or fraud, which would justify the extraordinary measures which have been taken in reference to these works. I do not understand that it is the function of this commission to inquire into questions of administration, or mere theoretical questions, so as to find out whether it is better to do the work in one way or in another. I submit that the questions put to the witness ought to be confined to matters pertinent to the circumstances as they actually existed at the canal, and no theoretical or suspicious circumstances, different from those, ought to be allowed in evidence.

Mr. McLEOD.—We want to get all the information we can in reference to the cost of cutting stone and the masonry.

Mr. VANIER.—You forget that the two suspended officials are responsible for the way they have given out contracts, to a certain extent, though the contracts were finally awarded by the government. But they had the list of tenders in their own hands, they asked whom they pleased to tender; and we want to find out how far they went in that direction.

By Mr. Douglas :

Q. Will you kindly answer the question concerning lock no. 1?—A. If you want to know at what I would have delivered the stone cut for lock no. 1, I should say \$14 or \$15 on a quantity, to be delivered on the work cut. Mind you, I have not a very clear idea of the class of stone required for that lock. Measuring and cutting it—I do not know whether it runs in regular courses or not, or whether you have a predominance of one kind of stone. I am considering it as if it run in the ordinary courses. I cannot tell whether there is a predominance of costly stone in that work.

Q. It is ordinary stone for the side walls of locks?—A. Well, if it runs in courses you would do it much cheaper.

Q. On that specification what would you cut lock no. 1 stone for and deliver it on the works?—A. I would do it for \$14.

Q. Now, what would you undertake to supply and deliver ordinary rock faced ashlar of the character of this shown in exhibit C 52—delivered at the works on the cars?—A. On board the cars at the works as was asked for, that is on the basis of my tender, \$10 would be an outside price just for the material, not the lane.

Q. Would you supply for the recess and boucharded work at the same price as lock masonry?—A. No, I should ask an increased price for that.

Q. What would be the increased price?—A. Say about \$14 a yard. It is just a matter of the difference in cutting. For the rock faced, I said \$10.

Q. You have built a large number of bridge piers, have you not?—A. Yes.

Q. You built the stone work of the Canadian Pacific railway bridge at Ottawa.—A. Yes.

Q. Did it require expensive cofferdamming?—A. The specifications, the demands of the engineers, all depend on the cost. Some ask for a procedure which is not the most economical. At Ottawa they demanded the unwatering to be done by cofferdamming.

Q. Was the cofferdam included in the price of masonry?—A. Yes.

Q. At what rate did you build those bridge piers, I mean your contract price?—A. I had \$11 a yard for it.

Q. That was four faces?—A. That was the ordinary pier, eight feet wide on top, square cornered and rock faced.

Q. The same for the abutments?—A. The same thing right through. Of course the abutments were mostly on dry land, very little in water. This price included the cofferdamming.

Q. You built the aqueduct over the Welland river, did you not?—A. Yes.

Q. That is high classed masonry?—A. That is the finest piece of masonry on this continent.

Q. What did you have per yard for that?—A. A very low figure, \$14, all out work.

Q. Did you build any of that in the winter?—A. Mind you, there are no profits in that class of work.

By Mr. Emard:

Q. Was there a loss?—A. I never followed it out to find where the exact loss occurred, but I presume there was a profit on the other parts of the work. I would not do it again for less than \$21 or \$22 a yard. But mind you, the unwatering was paid for besides. That was over and above. It cost us \$50 to cut some of our stone.

By Mr. Douglas:

Q. What difference would you consider there is in the value between that aqueduct masonry and the ordinary bridge masonry that you build? Was it double?—A. Yes it is worth double.

Q. Did you build any bridges at Quebec?—A. Yes, the St. Charles River bridge.

Q. What did it consist of?—A. That consists of three piers, three or four piers and one centre pier for the swing bridge, a round centre pier, and rock faced masonry.

Q. What was your contract price for that?—A. It was to be paid at the rate of \$14 a yard.

Q. What is the difference in cost between a round faced pier and a square one?—A. Just the difference in cutting the stone to a curvature.

Q. Was it more expensive?—A. Yes, I think so. I think you get rid of arasses and chisel drafts on the stone.

Q. Did that price include cofferdamming and unwatering?—A. There was an allowance for cofferdamming.

Q. What was your allowance?—A. I forget that.

Q. Have you built any other bridge work of a similar class to the Wellington street bridges?—A. I built the ordinary bridge work of the Metabechouan, the Au Sable River, and others.

Q. For these bridges that you have built in the winter, what was the average prices?—A. I think the allowance for the Metabechouan and other bridges were

\$15 a yard. There was an allowance for cofferdamming besides. Of course we were able to utilize the ice; we cut through and saved considerable in that way. We put our piers through the ice.

Q. Did you build the Seigneurs street bridge this winter?—A. Yes.

Q. What time did you start?—A. I cannot exactly say. It was after the water was taken out of the canal, as soon as possible.

Q. How many yards of masonry did you build?—A. I think about 400.

Q. I suppose it would have been no more costly to build 1,200, would it?—A. There are all the preparations, of course, laying that way, it would just take a couple of old scab derricks without much expenditure.

Q. A similar class of masonry to this?—A. Rock faced ashlar.

Q. Less expensive or more?—A. I would not say that it was no more expensive or any less expensive.

Q. What was your contract price for that?—A. Mind you, we are now placing the value of the masonry alone. You are not leading up to the expenditures connected with carrying on a great piece of work. You are simply talking about one class of masonry as compared with another.

Q. Yes.—A. I am going to tell you how I came to tender on that bridge. I was tendering for the work here, and incidentally put on the same prices I had for the Barrack street work, which was a very large piece of work; and I simply extended that on this piece of work.

Q. What price was it?—A. \$9.80.

Q. Did you lose money on it?—A. No.

Q. Was the actual cost of the masonry done during that time?—A. It is not the value of the work. We had to figure things right down very fine. Of course I lost on the excavation and everything of that kind.

Q. Have you ever been over the Wellington street works?—A. No, simply went by there one day when they were commencing to dig the abutments; and I walked along quickly to see the derricks up and see the boys at work. I have never been there since, I did not want to go near it.

Q. From your personal observations could you form any idea of the manner in which the work was carried out?—A. No, I have no knowledge further than an acquaintance with the superintendent, Mr. Kennedy, and what I would expect from him.

Q. Do you think that work could have been done cheaper by cofferdamming without taking the water out of the canal?—A. I do not think I would have taken that plan exactly of unwatering the canal. I think the government should have organized a different plan of operation on a piece of work of that kind, and where they were going to deprive the millers of their water which they needed. They should have organized a different plan of operation, and sent an engineer to work on a different plan.

Q. State what you consider a proper time for executing that work?—A. I should have cut through the ice and put down my cofferdam. The ice would have been a help to the work.

Q. And you have obviated the expenditure of carting away a lot of ice?—A. Yes, but the plan chosen by the government was altogether different. I do not consider that the superintendent of that work was at all to blame for the procedure inaugurated. Headquarters ought to outline these things, it seems to me.

Q. So you think it would have been a cheaper plan by cofferdamming than by unwatering?—A. Most assuredly for all parties. I built the St. Lawrence river bridge, a 20 foot rise and fall of tide, and the ice completely helped me. The ice was four or five feet thick and it was a benefit to me instead of a hindrance. That is simply my own experience. Other men may have different ideas and different experiences.

Q. Then as regards masonry: how would you have taken out the crib-work, with dredges?—A. It is hard to tell what I would do with that unless I was on the work myself. When a contractor goes to a piece of work he can always outline his procedure, and when he meets a difficulty he overcomes that by his experience, and

he adopts the best methods according to his experience, or the experience of others. A good smart contractor is equal to the occasion when he meets the difficulty and can overcome it in some way or other. I am not able to say what procedure I would have taken with regard to those abutment piers, not knowing how they are situated. Now let me explain how you could have utilized the whole winter by taking that procedure. You would have had a good deal more time to do your work in, you would not need to have commenced operations much earlier, and you could have utilized the whole winter. That is what I did on the St. Lawrence river and the Metabetchouan river—everything of that kind was done through the ice. After my first experience in the matter, I am very glad now to take advantage of the ice to put in foundations.

Q. As the fact actually occurred, at what price would you have been prepared to take the ice out per cubic yard?—A. I never handled ice.

Q. Have you ever taken down old crib-work?—A. Yes.

Q. This crib-work was frozen, what would you consider a fair price per yard to have taken it out?—A. It is certainly worth a great deal more when frozen. It would be just about the difference in the cost of taking out frozen earth compared with the cost of the crib-work also frozen.

Q. At what price would you have taken out unfrozen crib-work per yard?—A. The way that crib-work is built I should say from \$1 to \$1.50 a yard. It depends also upon whether there is any value in the crib-work, whether the stone could be utilized for backing.

Q. When it has to be pried off with crowbars and taken out with derricks?—A. I should say that crib-work taken out frozen would be worth—well, I am not able to get down to fine prices, so I will say from \$2 to \$3 a yard.

Q. Then taking down the frozen masonry?—A. I do not see very much difference in that. If it is good masonry, being frozen might not make any difference in it. The cement is supposed to be as hard as frost. I don't see any difference in that.

Q. What price would you put on for just tearing it down?—A. I suppose \$3 a yard would cover it.

Q. Now, the earth excavation, what would you consider that worth at that time? Of course it was frozen part of the way on top?—A. Where would that have to be drawn?

Q. Three-quarters of a mile.—A. It is very expensive when you come to deal with carts and carters in the city. I should say that would be worth at least from \$1 to \$1.25 a yard. I know what it costs for the work up at these little bridges, it costs about 80 and 90 cents a yard. But that is not nearly so long a haul. Moreover, it could be done much more reasonably than a large work like that. It was going on in the day time and this had to be done in the night and they had to rush things through to get their work done on time.

Q. Now, what do you consider the value of that masonry laid between the 11th March and the 7th April?—A. Do you mean for me to put a value? I could not put a value on that masonry without knowing the way in which it was laid.

Q. What would you have contracted to do it for?—A. Say about \$25 a yard. I perfectly agree with Mr. Schreiber's idea of it; and, mind you, when a man goes into these things he don't always come out on top of the heap. Sometimes he loses money. I am not simply speaking of the tenders I have made, and of the experience I have had on the work I have done in the past.

Q. I am only talking of contractors' prices. If you get contractors' prices, certainly you ought to get the cost of the work?—A. That would be on the basis of \$25 to the cubic yard. The timber would be at a figure so much per cubic foot or so much a lineal foot, that is, for cofferdamming, &c., while the unwatering would be calculated either on a bulk sum or so much per cubic foot for the timber, and so much for iron and so much for labour. Your labour would be included in the price of timber.

Q. Twenty-five dollars a yard does not include the unwatering?—A. Probably; I am speaking with no knowledge of how that thing was carried on. I have not

the least idea of what plans were pursued. I should have to include the cost of doing night work. It all depends on circumstances. If that work had been done by contract with plenty of time to do it in, I would say \$25 a yard. But if that work was asked for to be done within a time that made it necessary to employ night work, you would have to make altogether a different calculation. Your day work might use up all the labour that would be attainable, and you might have great difficulty in getting additional labour nights. You would have to take that into calculation, and I should calculate on an increase of 50 per cent on the amount of work done at night. If you had one-half of your work done at night, that would make 25 per cent additional. I would want to figure on 50 per cent on the cost of day work to cover difficulties. Then a man cannot do as much at night, and you cannot always get night men. Sometimes you have to pay more, but I have always tried to get them for the same figure as day work. If they are plenty, men can be got for the same figure. If men are scarce you have to pay higher.

Q. Did you night work on the Seigneurs street bridge?—A. I think they may have done a little night work there.

Q. How many masons do you generally employ on a building derrick?—A. Of course, it depends on the size of the wall.

Q. On a 36-foot wall and averaging ten feet deep, how many masons?—A. Of course, that would depend on the number of days you have to do the work in. Ordinarily speaking, if you were not pressed for time, I should put on three masons and two second-class masons for what I call hand labour, that would be five altogether. Where you are paying a mason \$2.50 to \$4 a day, you would pay a handy man about \$2 a day. The latter never go on the front of the wall except in assisting to sustain a stone. That would be three masons and two handy men to a derrick on an ordinary gang of masons, if there was no particular push. If there is a push you put on as many masons as you can get on, and have derrick power to handle the stones. On that heavy wall back of the depot, that is all I used. With about 80 feet of a stretch, we made our 60 yards a day.

Q. On one derrick?—A. That is just about the foundation where the wall is 11 or 12 feet wide. We just took the stone right off the cars.

Q. If pushed, how many yards a day could a derrick lay, working all the time for 24 hours?—A. Well, for an ordinary gang of masons they call from 20 to 30 yards a day good work.

Q. You said you had laid 60?—A. This was under exceptional circumstances. The wall was very wide and the cars run right under the derricks.

Q. That would be about 50 working night and day?—A. You cannot do quite as much at night: I would say 40 yards night and day. You cannot get as much work done in the night as in day time unless you have got picked men that you can thoroughly depend upon. Labour is difficult to control at best.

Q. In your employment of labour in the city of Montreal, what do you consider the meaning of the word "over-time"?—A. I consider that term means that where a man works his day and then is asked to work an hour or two extra, that would be over-time. If he works his ten hours for a day as agreed upon for a day's work, and then he works additional time to that in the same day, we call that over-time.

Q. Do you consider night work over-time?—A. No.

Q. Have you worked large gangs of men night and day; a day shift and a night shift?—A. Yes.

Q. For ordinary labourers what difference do you pay between a night and a day shift?—A. That all depends on the difficulties of getting your men. As I said before, you have to pay whatever is necessary to get those men.

Q. On the Seigneurs street bridge, did you work a night shift?—A. We had a few who were old men, but we did not make any difference. We had them under our control, and could do as we liked. I do not think there was anything extra paid. But still, I would not state that as a certainty.

Q. What is your custom?—A. The custom is that you have got to meet the position just as you find it. If you find you can get plenty of men, there is no trouble of putting them on at the same rate; but if you have difficulty in getting

the class of men you want, you have to make an arrangement with those men to suit them.

Q. Do you know the state of the labour market last winter? The mills were shut and there was plenty of labour available.—A. I did not pay any great attention to the state of the labour market, because I had nothing to do here.

By Mr. McLeod :

Q. You said it was not a good plan to take the water out of the canal and that you would have put in coffer dams?—A. In considering this question we must remember the extremely cold weather of last winter. Of course, I do not suppose governments change their plans very often; but at that stage when I found the ice had taken so strongly, I should have changed the base of operations if I had had control of the whole thing.

Q. Do you think you could have put down cofferdams for the abutments where there was open masonry adjoining? Could you have put in cofferdams that would have kept the water out?—A. Your masonry is simply ordinary retaining walls, as I understand.

Q. How would you have bonded the new masonry with the old masonry? How could you have put down a cofferdam?—A. There would not have been any difficulty, or you might simply have left out the water in the spring. You need not have had all this terrible rush, you could have put in your piers and abutments and have had plenty of time to do it in, and then you could have let out the water sufficiently in the spring to have made these works. As a general thing they do let the water out of the canal, at least when works are going on here, for a few days; and I think they make a practice of doing it very often. They would have had to let out the water anyhow for the repairs above.

Q. Then how would you have taken the stone out of the wall before the water was taken out? How would you have managed to get the stone out of the site of your cofferdam?—A. I do not understand what you mean.

Q. There was a wall built on both sides of the canal; how would you get the stone out so as to build?—A. You would have to break those stones connecting the old timbers by pile-driving right into the bank. No trouble in that.

Q. Right down to the bottom of the canal?—A. You would form a connection in that way so as to make the cofferdam.

Q. You would have to put the crib wharfing down a considerable depth, eight or ten feet below the bottom of the canal—the crib wharfing above the Wellington bridge and below the Grand Trunk bridge?—A. What length was the crib?

Mr. KENNEDY.—153½ feet by 50 feet wide.—A. That would have made it more serious; the cofferdam would have to be made extra length to include that. I would have had to cofferdam that so as to excavate. That might have made it too expensive unless the damage to the millers was so great as to justify it. I do not recommend that plan on account of its cheapness, but to avoid the difficulty of letting the water out of the canal for a length of time and thus stopping all the manufactories on the canal.

Q. But it would have been a very serious matter to build a large cofferdam like that to get down the crib wharfing?—A. You would simply build in front and connect with your bank. It would be a one sided cofferdam.

Q. I am speaking of the centre pier. In speaking of the price for excavation for the abutment, did you include the price of refilling behind the masonry?—A. To bring back the material?

Q. Yes?—A. Of course the refilling—I presume there would be no frost in the filling—there would be a difference in the price of that. It would depend altogether on your haul.

Q. That would have to be added to the price of excavation?—A. Yes.

Q. What would the refilling be worth? Not carting it all away, but leaving enough at hand to refill?—A. Did they leave any at hand?

Q. No, but you would naturally leave it, if you could, somewhere near.

Mr. KENNEDY.—Yes, there was sufficient earth to refill, but it had to be put a little distance away as there was no other available ground.

Q. What would the refilling cost per yard when there was no frost?

Mr. KENNEDY.—When it was deposited we had some very cold weather, and it was frozen and had to be repicked the second time for the refilling.

Q. Well, there would not be a large quantity at any rate?—A. It might be done probably, at a less cost than the price I stated for excavating.

Q. About how much?—A. I would not like to say exactly.

Q. An eighth of a mile haul for filling? 50 cents to \$1 per yard?—A. I presume 75 cents to \$1 per yard. I do not like much to answer questions about hauling material in this city, because it is more or less problematical on my part, as I have had very little of it to do. I have had very little experience in this city in cartage, as I have always tried to avoid it. It has always been very expensive and difficult to get carters and to get them to do what we call a day's work.

Q. But there are tenders, I understand, for carters?—A. That is all right enough, but to get those carters to do a day's work—there is the trouble. They loaf on every possible occasion. Unless you can get hold of a man who rents his carters and sees that they do a day's work, contractors have some difficulty. That is why I do not like to put values on material to be hauled any distance in the city, because I am only giving a problematic price, subject to change from the very fact that I am not thoroughly versed in the charges of those carters. I would rather not be questioned on those points.

Q. It has been said that men working by the day, do not work well?—A. We hire all our men by the day, as a general thing, except foremen, whom we hire by the month.

Q. But you sometimes have men who work for the government by the day?—A. When men work for the government by the day, it all depends, in my estimation, on the foremen in charge of the work. There is no doubt that the class of men that had to be hired on those works at the canal, if they believed they were working for the government, they had an idea that they had a soft job.

Q. The work of these men depends to a great extent upon the foremen, does it not?—A. Certainly it does in all cases, but as I said before, men seem to get the idea that they have got a pretty soft job when they work for the government. That is a prevalent idea among them. You can hear them talk so, and that is the way they feel.

Q. I suppose the men who are working for you are sometimes put on work for the government by the day, and then do they think they have a soft job?—A. No, I do not think that would apply for just a few days. They would have to know whether I was doing the work by days' work, and how I was paid, and they would not know it unless they were told it.

Q. They would very soon find it out?—A. Supposing I am doing a certain extra piece of work, I do not tell my men my business, they are not supposed to know my contract with the government. The engineer gives me a written order to do a certain piece of work, and charge by the day; a contractor would not go and tell his men they were doing that by days' work; but if the press got hold of it, and it became known the work was done for the government, then the men might get hold of it; but if it is a matter of a little extra work done and paid for at days' wages, there is no necessity of the men knowing anything about it. But in this case, where there were public tenders, the men knew they were working for the government, and that the government would have to stand the shot.

Q. But don't you think it would be different in gangs that were employed entirely at day work, and nothing else to do but working for contractors who constantly work for the government at days' work; they would know then if they did not work that the foreman would discharge them?—A. They do that on all occasions; they expect to be discharged if they don't work, but then it makes a great deal of difference as to the class of foremen you have in charge.

Q. Of course a foreman can discharge any man?—A. The idea which those foremen have themselves of a day's work, makes a difference. But as a general

thing when men are working on public works, it is just the same as with night work, they never get stirred up, the lightning never strikes them, and the result is that they go on in that humdrum sort of a style, unless they have got a live man at the head of them to stir them up; you can see that right here in the city with the city employees, the way they work and the way they move. They think the corporation owes their support to them, just as men think who are working for the government. Don't think I am striking at the government in any way for doing this work by day's work, they have to consider whether it is done by day's work or not, and whether it is better done by the government than if let out to contractors.

Q. From your knowledge of contracting, do you think this would have been done more cheaply by a contractor?—A. I think it could have been done more cheaply by contract than it has been done under the plan that was adopted. I think if the government were going to put Mr. Kennedy on as superintendent of a canal, they should have given him the hiring of the men and made him responsible for everything that was done, instead of sending down and letting out everything over his head. I think he should have full swing, full charge. If he was worthy to be superintendent, he should have been allowed to say: I want this or I want that; and he would have found ways and means to hire those men in the same way that Mr. St. Louis hired them. He should have had the whole charge of them and have been responsible for his men. Then there would have been no trouble. Of course, it might cost more money, but then it would have been the satisfaction.

Q. But a contractor having undertaken the work, taking everything into consideration, could he have carried it through?—A. Oh, yes, no trouble about that. There are lots of contractors who like to take a job.

Q. Plenty of contractors in Canada?—A. Yes, and lots of good contractors too.

By Mr. Vanier :

Q. Who asked you to tender to furnish the stone last winter?—A. I think the invitation came from Mr. Kennedy.

Q. To whom did you send the tender?—A. I cannot remember exactly at this date.

Q. To whom did you address the tender?—A. I am not positive, but I think it was sent into the department. I am not positive whether it was addressed to Mr. Kennedy or to Mr. Parent.

Q. Did you ever see Mr. Parent in the matter?—A. When I saw my tender afterwards it was handed to me by Mr. Lesage or Mr. Parent when I went in afterwards to see about it. They had the tender there.

Q. You had a contract to build the masonry on the barracks extension of the Canadian Pacific railway?—A. The Quebec gate barrack extension, yes.

Q. Do you remember the price you had for the masonry?—A. The only thing there that would compare with this work would be the abutments; I had \$10 a yard for that—rock-faced ashlar. But it was in a different position, it is not comparable at all. There we had our cars right alongside our masonry, a large amount of masonry too, in one body. We kept at it all through summer, we drew our stone in there and hoisted them right on to the works.

Q. You spoke a few minutes ago about Mr. Kennedy having his own way to do things around the works; did you ever hear that he was prevented from having his own way?—A. If I were superintendent of a work and had to be responsible for it, I would not be superintendent unless I hired my own men. If I had been put in the position Mr. Kennedy was, supposing that he was to hire his own men, I should have resigned, and that is what Mr. Kennedy should have done, in my opinion. To undertake to hold a man responsible for a piece of work, and have other contractors furnish the men—certainly you have no chance of judging these men—I should seek for labour wherever I could get it best.

By Mr. McLeod :

Q. He could discharge any man he pleased?—A. Yes, but the more discharging he did, the more disruption there would be to the work. You don't want to be dis-

charging men all the time. You want men put in there to do the work: A great deal depends upon the selection of your men. I have confidence in Mr. Kennedy because he has worked for me a number of years and I know him; I have confidence that he has good judgment in regard to selecting men.

By Mr. Atwater:

Q. When you speak of the employment of men, are you supposing that Mr. Kennedy had nothing to say about how many men should be employed?—A. Oh, no, I am not supposing that.

Q. What do you refer to?—A. I refer to this, that a man in hiring his men has to use his own judgment. He knows the labour market and knows where to obtain men and the class of men that he wants. He should have full swing in that respect. I would rather select my men. Another man has a contract to furnish the labour—that is all right for the man who has the contract. I am not making any reflection on Mr. St. Louis, but the man who has the contract furnishes the men. Now then, Mr. Kennedy has got to select those men, but if Mr. St. Louis sends over a thousand men, he is not going to refuse them on sight until he tries them. There comes the trouble and there comes the damage, in trying those men and finding out whether they are able to do a day's work. When a man uses his own judgment he can refuse them and not hire them at all. I have seen men coming to me, agency employers, they fetch 50 or 100 men; I look them over and say, stand out here so and so, I want you. But Mr. Kennedy could not do that.

Q. Why could he not?—A. I do not suppose he would like to do it.

Q. Mr. Kennedy was the superintendent and if he had chosen to refuse a man he was at liberty to do so.—A. I do not know anything about that, I am speaking from the standpoint of responsibility. I know just how Mr. St. Louis would feel under the circumstances. I do not believe he would have allowed some other man to hire his men for him. He is too good a contractor for that.

Q. Are you, as a contractor, in the habit of resorting to persons who furnish labour?—A. Sometimes, yes, what we call labour agencies.

Q. And when they do furnish you with them you exercise your discretion, you shall take them or not?—A. Yes, when we have time to do so. If we take them and they don't turn out well, it is our loss. Mr. Kennedy was held responsible for that work, and for his own reputation he should have had full control of that work under the engineer in charge. Then everything would have been as clear as day-light.

Q. Do you attribute the cost of this work to the manner in which the labour was employed?—A. Not specifically; no. That is only one of the causes.

Q. You have stated that you think if you had been contracting for this work, you would have done it through the ice. I suppose that is only your opinion?—A. That is only my opinion.

Q. You are not prepared to swear, I suppose, that after careful examination of the grounds, and the circumstances, and the condition of the work, and everything else, you might not have changed your opinion?—A. Here is a point, you must connect my evidence with this work. There was great difficulty in taking the water out of the canal. To give Mr. Kennedy a good chance to do that work without any rush he could have built cofferdams and put that masonry through the ice for, I think, less money, because the work done would not have cost so much money by having more time to do it in. When you come to increase your price or diminish it without time for construction and then increase your amount of work to be done, it makes it very difficult and adds greatly to the cost.

Q. When you speak of building through the ice did you take into account the quantity of crib-work there was to be removed?—A. I think one question put to me by the chairman remains unanswered. He spoke about the quantity of crib-work that was to be removed above the Wellington bridge. (Witness examines the plans.)

Q. Take communication of exhibit C 3, and take into consideration the amount of crib-work that was removed from the canal, both around the centre pier, on the abutment pier, and the abutment pier above and below the bridges, and say

whether you still think it would be more economical to have removed this by a system of cofferdamming than in the way in which it was done?—A. So far as the centre pier and the crib-work on the left of the plan above the Wellington bridge are concerned, I say that the masonry of this kind could have been done cheaper by cofferdamming. By taking that plan of operations you would not interrupt the work of those men, and the extra cost of the work, while they were rushing it on, would more than compensate the expense of the cofferdam.

Q. Now, having seen that plan, your last answer refers only to that portion of the cofferdamming and the crib-works in the centre. Now, about those side piers? —A. I say, let the water out of the canal fifteen days or so, and take them out.

Q. Do you say it could be done?—A. I think so.

Q. Suppose those side piers were frozen?—A. At that time the frost is out. You take it fifteen days before that and the frost was well broken. There would not have been nearly so much frost in them then. For several days there were two or three feet of water in the bottom part of those cribs during very cold weather. You remember a statement of Mr. Parent that the frost had entered in again and formed new ice over the bottom of the canal, which had to be taken out. Now that ice went into the piers and made new ice in different places in those old cribs, and was difficult to take out, and would increase the expenditure to Mr. Kennedy more than if he had not had that spell of frost. After the ice was first taken out it froze the second time, and largely increased the cost of taking those cribs out; made two separate freezings.

Q. You stated just now that the frost was out of those cribs at that time; how could the frost have been out at that season of the year, in the middle of the winter? —A. In early spring the frost commences to go out early in May.

Q. But this was between the 1st and 10th March?—A. As I understand by that plan, those piers we are talking about were in the water.

Q. And they had to be taken out while this work was going on, and they were mostly taken out in the middle of the winter?—A. I was taking those piers out by letting the water out in the spring before the canal is open. There is a certain number of days in which the water is let out before the opening of the canal in the spring of the year. I would remove those cribs at that time, and let the water out after the frost commences to go. Doubtless it would have been a great damage to the mill owners to stop their mills, but if that mode of procedure had been adopted Mr. Kennedy would have had a large part of the winter to work up this business; he would not have had to put on such a large number of men, and to work night and day. The only difficulty he would have had would be to take out those longitudinal piers, which I claim could have been taken out by a dredge. It would have been better if they had decided on a plan of that kind, when the excessive cost of this work could have been obviated. Against that would be cost of cofferdamming those sections where you had to put in your masonry. I do not look upon those longitudinal piers as being an expensive thing to get out in fifteen days.

Q. Are you prepared to state in figures how much cheaper you think your plan would have been than the plan that was adopted?—A. No, I am not prepared. I am not surprised at the excessive cost of the work when you ask a man to do that work in a time and under the difficulties that have cropped up. I say those difficulties could have been obviated by a different procedure.

Q. You say the difficulties might have been obviated if a different plan had been followed with regard to doing that work?—A. Yes, if the government had adopted a different plan. When governments build works they do not leave their superintendents to make the plans; they adopt some plan at headquarters by which the work is to be done. They look into those plans and decide. There are big enough heads up there to do that.

Q. Considering the way it was done, are you prepared to say that the cost was excessive?—A. I am not astonished at the cost of this work seeing the difficulties under which it is carried on, and the way in which it is carried on.

Q. Are you prepared to say how much less it would have cost by adopting your scheme?—A. I am not prepared to say that, I am not prepared to go into

figures on the question. You would simply take out the cost of putting in the cofferdam. I should simply have extended that cofferdam they did build around those centre piers down to include the pier that had to go in. My centre pier on the St. Charles bridge was 28 feet across and circular in form, and I built two cribs on each end, both 190 feet stand to rest upon, and sunk them through the ice. Now then, the only difficulty additional to that would have been getting down to that foundation; consequently you would have had to have a cofferdam there.

Q. You would have had to make cofferdams for the abutments as well as for the centre pier?—A. Yes, I should merely connect with the shores.

Q. You could do all that without removing the ice?—A. We would simply remove the ice at that point.

Q. Then you would have to remove the ice in the centre yourself?—A. Just the same as you cut a hole in the ice and you build your cofferdam there. I made an observation as to how I would do this work, and you are trying to pick me to pieces. You will not succeed in doing so.

Q. I am not trying to pick you to pieces at all.—A. I simply said that if that plan of operation were decided upon, it could have been carried out with thorough economy. You are asking me here as an expert to show why the thing has cost so much, and why things have been so extravagantly carried on, and what is the proper price for these works. Now, I claim that the line of operation marked out for the superintendent of this work was such as that he could not possibly avoid a very large additional expenditure.

Q. I have never put a single question as to you about excessive cost. What I want to get at is this:—You have stated that you thought the work could be done better by operating through the ice. Now, in that way you think the work would have been done cheaper, and that is where your plan would differ from the one that has been followed, is it not?—A. I have already stated to you that by that procedure the superintendent could have had the whole winter before him in which to operate, instead of being confined to a short space of time. He could have done his work in the day-time and have done it when he could have had full control of everything, provided his men and have engaged them.

Q. That is the reason you think it could have been done cheaper than by following the plan that was adopted?—A. Yes, and what is more, there would not be the difficulties attached in shutting off the water of those manufacturers and closing down their works, and that would have thrown a large number of men out of employment. It was a damage all round, and you could have avoided all those damages. I do not know as the government had to pay for them. But occasionally those men cannot close their mills without loss, especially to the poor labouring men.

Q. Now, if you will answer the question a little more directly and not theorize so much—do you know whether the manufacturers agreed to this plan or not?—A. I do not know anything about it, it is immaterial.

Q. When you said you thought you could do the masonry for \$25 a yard on this work, did you make any calculation to that effect at any time?—A. No.

Q. Is that merely an opinion of your own given here now?—A. It is merely an opinion of what I would have done under the circumstances if I had been contracting for the work.

By Mr. Kennedy:

Q. Have you any recollection of building the abutments and centre pier of the bridge at Back river on the Lake St. John railway?—A. Yes.

Q. I think that comes closer to the work on Wellington bridge than anything we have ever seen. Have you any recollection of the difficulties that we encountered there?—A. Yes, that was built in the fall.

Q. That would come closer to the work done on the Wellington bridge than anything we have done in Canada?—A. I know the place, at Riviere Pierre. We had the same class of material, but it was in a better season of the year.

By Mr. Atwater :

Q. Did you tender for the work?—A. We built it, and Mr. Kennedy was in my employ. We tendered for the lake St. John railway, the whole road, and had so much for making it.

Q. Would you have tendered for this masonry on the Wellington bridge at \$25 a yard, doing the work between 8th March and 1st May?—A. It is a very hard matter for me to tell you now what I would have done then. What I say now is that I consider that \$25 would be a fair figure for building that masonry—in the day-time.

Q. How much would you add for the work to be done at night?—A. I answered that before, you have it there. I said that I considered that night work under the circumstances would be worth at least 50 per cent more than day work. Suppose you did one-half of the work at night, you would add 25 per cent of the whole cost; add \$6 to the price per cubic yard.

Q. That would add \$6 to the price of every cubic yard of masonry?—A. Yes; that would bring it up to between \$31 and \$32 a yard.

Q. Would that include the unwatering?—A. No.

Q. Would it include cofferdamming?—A. Cofferdamming is supposed to be unwatering. You build your cofferdamming for unwatering.

Q. Would that figure include any excavation?—A. No; you would have your price for excavation—digging out your foundations.

Q. Would it include any earth removal?—A. That is excavation.

Q. I mean crib-work removal?—A. No.

Q. Would you include any masonry removal?—A. No. If you had crib-work, you would have a special price, which my figures there would cover. I simply put a price for building the masonry alone, then you have got a schedule rate for everything you do outside the masonry, for preparing your foundations, for building your cofferdams, you would have so much per cubic foot or per lineal foot, for timber, and so much a pound for iron. It is all embraced in the specifications given by the engineer.

Q. For what depth would this tender have provided?—A. I understand it would not make any difference.

Q. You think it would not have increased the cost?—A. That price for unwatering would simply be a little heavier.

Q. But it would not make any difference in your tender for masonry?—A. Except the price of unwatering. The more masonry you put down in a place of that kind, the better for you, as long as you have the cofferdam dry.

Q. Your tender, per cubic yard, would be the same, whether the canal provided for twenty-two feet or thirty feet?—A. As far as the masonry was concerned. The increased cost would come in in preparing your foundation for the work.

Q. Is it your experience, as a contractor, that there is loafing amongst men working in large numbers?—A. Yes; no matter who they are working for. That is the main thing we have to contend with.

Q. What is the percentage of loafing?—A. They loaf every chance they can get, and unless you have a good foreman, it is all the worse. To give you an instance: We have found gangs of men on our sections, sitting down smoking their pipes with the foreman with them.

Q. So there is nothing extraordinary that loafing went on?—A. Nothing extraordinary with such crowds of men as there were down there. I do not wonder.

Q. Did you see the men working down there at any time?—A. No, sir. Well, I did. I passed by when they were excavating the abutments on this side. I was walking up through to Seigneurs street, and I stopped there a few minutes.

Q. Did you see how they were working?—A. I did not make any particular observation; I gave a superficial view to the operations. I did not go there for that purpose.

Q. Did you notice at all the temporary works that were erected during construction?—A. I noticed that a bridge had been thrown across there; I noticed several derricks put up or that were in course of erection—a fine lot of derricks, fine plant.

Q. How many men could work on a derrick if they were pressed?—A. That depends altogether on the size of your work and the chances there were to place them.

Q. You know it was very cold weather when this work was going on?—A. I believe it was.

Q. Does a work necessitate more labour when the weather is cold than during the summer?—A. Of course, there are a great many difficulties connected with cold weather in whatever kind of work. You cannot do as much work in cold weather as in warm weather.

Q. Do you know whether the men had to work in water to any extent?—A. I don't know anything about that.

Q. A man working in water has to be relieved, does he not, every two or three hours, in cold weather?—A. Yes, if he has no protection from it.

Q. Even supposing he has rubber boots on?—A. Of course, in extremely cold weather a man could not do nearly so much work, could not stay in the water, perhaps, so long. When a man gets wet in some of the weather we had last winter, he is pretty cold.

Q. If that was the case it would require more men to relieve each gang, would it not?—A. I presume it would if that was the case.

Q. I mean they would need to be relieved from time to time?—A. Yes.

Q. In your experience as a contractor, do you know whether there is a loss in material that is used on such work, by being stolen?—A. It is the greatest difficulty we have—to keep the tools we work with from being taken away by the men and those who do not belong to the works. In the circumstances of this case I should think they would have had great difficulty in keeping their tools.

Q. In a large work like this where a lot of men were working, would you expect that a certain amount of loss of material and tools would occur?—A. I would. I have found it the case on all my works; it is the greatest difficulty I have to contend with, to keep anything that is removable from being taken away from the works.

Q. What percentage?—A. I would not give a percentage.

Q. You would not be surprised if a good deal of it disappeared in a work of this sort?—A. Not at all. In fact I have taken special precautions to protect and to take care of my plant, as Mr. Kennedy knows, and in spite of everything I can do, there is a good deal of loss.

By Mr. McLeod:

Q. Mr. Atwater is speaking principally about the material?—A. Tools and material, everything. I should say they would take away everything that was removable in the shape of lumber or anything of that kind.

Q. You would not expect that they would take away square timber would you?—A. Not unless they could put it on their shoulders and carry it off. Anything that would make wood they would carry away and they would not care what quality it was. If they had time to chop it up they would carry a big stick. They don't mind about the cost as long as they want it, nor the damage they do in taking it. People are the same everywhere in that respect. I have done considerable work in this city on the wharf, and we were not given to leave very much around loose, if we did it was not there long.

Q. You have said that you thought Mr. Kennedy should have had control of things here. Do you mean to say you think it would have been a good plan to have allowed him to give out the tenders?—A. Not at all. Mr. Kennedy is not the engineer in charge of the work. It is the engineer who makes the specification and everything of that sort. Mr. Kennedy should have had charge of the work, and hired his men, &c., he should have full charge of the work that he is responsible for.

Q. What you mean more particularly is the employment of labour?—A. Yes.

Q. You do not mean purchasing the material?—A. Purchasing the material is to make requisitions to the engineer. If the government wanted to let that under contract, it is all right to take tenders. The government should have had a plan of operations to go by, and that should have been given to the superintendent.

Q. Do you mean to say it was not a proper plan for the government to advertise for tenders for the material?—A. That is all right, but they should have inaugurated a plan, and then carried it out on that basis, and the superintendent should have had charge of the labour. If he made a requisition for this lumber, that would go through the office. The engineers, as I understand the carrying on of public works, have control of all these matters; the superintendent is there to carry out the instructions of the government through their engineers. That is the way I have always conducted public works for the government.

Q. You do not know whether this plan of conducting those operations was not carried out after a good deal of careful study of the situation?—A. I do not know anything about that.

Q. You have simply stated your own idea?—A. One thing I know is that Mr. Kennedy should have the hiring of his labour? He should not be held responsible for the poorness of the labour furnished. If the labour was not good, he should not be held responsible.

Q. I am not saying anything about Mr. Kennedy, but I understand you to say you think Mr. Kennedy should have had the employment of the labour?—A. Yes, of course he makes his requisition for everything he wants; I should suppose that would be the proper way. I do not know what was carried out. If he wanted lumber, he would make a requisition for a certain amount of lumber.

Q. But you do not know how the plan of conducting the works was arrived at?—A. No. I should say the proper way would be for the engineers to make out a plan of the coffer dam and crib-work, and make an estimate of all the quantities of lumber required for that work, and that would be handed to Mr. Kennedy.

Q. You do not know whether that was not done?—A. I do not know whether that was done or not.

By Mr. Archibald:

Q. I suppose you know very little about the circumstances under which this work was done?—A. Very little.

Q. Now, were you aware that Mr. Parent had advised the very course of procedure which you recommend, that is, by proceeding through the ice?—A. No, I was not aware of it.

Q. Do you suppose that an expensive coffer dam would have narrowed the channel so much as to interfere with the passage of the water in the canal?—A. I don't suppose they navigate the canal in winter, do they?

Q. Certainly not, but the water must go through just the same?—A. That would not interfere with the passage of what water was in the canal.

Q. I think you have some knowledge of Superintendent Kennedy, have you not?—A. Yes.

Q. How long have you known him?—A. I think he worked for me going on something like two years, if not more, in the years 1883-84-85.

Q. On what works was he engaged?—A. On the Quebec and Lake St. John Railway.

Q. What would be your judgment of his capacity to undertake such a work as that of building the Wellington bridge?—A. Well, I will tell you my opinion. I do not like to answer that question in that way. I have a very high opinion of Mr. Kennedy's ability and watchfulness and carefulness, as a man who won't allow, if possible, any slouching around him. He makes the men work, carries on his work with ability and pushes it. To take up a piece of work like that, I believe it requires a man to carry it through in the very best manner and in the very cheapest manner. The government should have had a man of known ability on that class of work, if the people do not expect the expenses to grow. Under these difficulties I think Mr. Kennedy has carried out the work as well as, if not better than, a great many men with a great deal more experience would have carried it out, knowing his cautiousness and knowing his ability to handle men and push work.

Q. Do you think there is a great advantage with regard to a contractor's control over his men, that they are paid by him?—A. Well, of course, so far as the contractor is concerned, undoubtedly it does make some difference.

Q. Do you suppose the fact that the men being hired and paid by another man would militate against the effectiveness of the work?—A. Well, to some extent it might; but I can say this, that it all runs right back to the main point: having a good foreman, the man that is in charge of these gangs of men. Of course it does have a certain effect on the men. I would not be able to say as regards that. I know when I first began contracting, some of the most successful ever carried through was done by men who were paid by the company, in New York state. There the man had to put up a large amount of security which he was then unable to do, and so the company paid the men. Of course, it was not a very large contract; there were about 40 or 50 men. But that seems to be the general impression, that it makes a difference.

Q. Don't you think it would be more difficult for a man in Mr. Kennedy's position to organize a large force of foremen and workmen than it would be for you as an experienced contractor?—A. Much greater. That is what I mean in my remark that if the government expected that every point of economy was to be observed, and everything of that kind, there should have been some man who had control of a large amount of labour and a great experience on that class of work. They could not expect that a superintendent of a canal—who might be everything that was required in his position—to take up this work and carry it on as well and cheaply as a man who has a large force on his hands and a large run of men that he was employing from year to year, foremen, superintendents, etc., and plant of his own.

By Mr. Emard:

Q. Referring to this question of overtime, if you had a contract to furnish labour, with a special contract about overtime and a special price for overtime, I suppose that any labour done by your men after the usual day's work, would be called overtime?—A. You mean where there is no special price for it? If you had a price for overtime, of course, anything that was overtime would be reckoned at that price. Any overtime that was done by these men would be reckoned at the price in the contract for overtime.

Q. Would you make any difference whether this overtime would be done in addition to the day's hours and would be done by the same men who worked all day or by other men?—A. You mean that if a man had worked his day and then worked on, you want to know if I will make any difference between that man and one who would be put on especially for night work.

Q. Yes.—A. Well, it would all depend on the price placed for night work.

Q. There is no provision for night work, but there is for overtime in that contract?—A. I think the government should make some special provisions for it.

Q. Would you not consider that under the circumstances of this case, overtime prices ought to cover all the night work?—A. I consider that the government should make some compensation for that overtime.

Q. So you are of opinion that night work ought to be paid dearer than day work?—A. Under the circumstances of pushing a work of that kind, I consider night work will cost more.

By Mr. Vanier:

Q. You mentioned a few minutes ago that if you had been given this work—?—A. Excuse me; I want to explain that evidence a little bit. As I understand, you are questioning me from the standpoint of a man who has tendered for labour. He binds himself to the government to furnish a certain amount of labour for day's work, and, if required, at night. He has got to stand there to furnish it for night work.

By Mr. Emard :

Q. No, there is nothing in the contract about labour being required for night work; it says that, for the overtime, the following prices shall rule?—A. But they have required him to furnish labour nights, have they not?

Q. They did require it.—A. To operate a gang of men.

Q. It would be a special gang of men, because some of the men could not work all the time?—A. But working a certain number of hours at night by special men don't come under the head of extra time.

Q. It comes under the head of night work?—A. Yes.

Q. But there being no proviso in the contract for night work, don't you think the provision for overtime would cover that, and would it not be the intention of the contractor that the provision for overtime should cover night work?—A. That I would not like to say. I will say this: that a man contracting to furnish labour has got to keep on hand more men, he has got to make more effort in order to provide this labour, and consequently assume more responsibility in order to furnish these men, and, therefore, he should have an increased price.

Q. Don't you think that if he has furnished a special gang at night he has gone beyond what his contract requires of him?—A. Yes, I do, provided he had no price. It would come under the head of an extra. I consider it is worth more to contract to furnish labour, because he has a contract to furnish all that would work in the day time, and if he contracts to furnish labour additional to the day time, it is more difficult to get the additional number of men, as a general rule. He has got to take the responsibility of getting them, and I think he is entitled to additional pay.

Q. So that in furnishing a special gang of men he went further than his contract required, which only obliged him to furnish men doing overtime hours in the evening?—A. Those men cannot be supposed to work the twenty-four hours through, but they can do a certain number of hours overtime.

By Mr. McLeod :

Q. Do you think that contract provides for that?—A. I do not know.

By Mr. Douglas :

Q. You consider that, under the specifications for night work in that contract, Mr. St. Louis is in the position of a man doing extra work for the government?—A. If there is no tender for that, I think he is entitled to compensation if he takes the responsibility. I do not say that the night work will cost more, but he is taking a responsibility on his shoulders which he ought to be paid for.

By Mr. Emard :

Q. In that case, does night work cost more than overtime, or less?—A. That all depends on the circumstances. If I was hiring those men as a contractor for night work, I would get them for the same price; but Mr. St. Louis has got to provide those men, and he has got to be in a position to do so and keep himself in that position.

Q. Is it not a fact that, as a rule, you have to pay more by the hour for night work than for three or four hours additional to a day's work?—A. I will not say.

By Mr. Vanier :

Q. You stated that you knew Mr. Kennedy pretty well?—Yes. I know him by his having worked for me for one or two years.

Q. Under the circumstances, would you have confided to him works as extensive as these?—A. I do not like to answer that question; I do not think it is a fair question to ask me.

Q. Do you think he would be a proper person to take charge of works of that kind?—A. I have just said that I think Mr. Kennedy could have done better than a

lot of men who have had a great deal of experience in that class of work and who call themselves contractors. I said this: that there are men accustomed to this kind of work who could carry it on much better than Mr. Kennedy, no doubt. Take men like M. P. Davis, who has been used to carry on that class of work for the government, and no doubt he could have done it much better than a man of Mr. Kennedy's experience.

By Mr. Douglas:

Q. Give him \$50 a day to do the work?—A. I do not know how much they would work for. But there is a great difference in men about carrying on work of that magnitude. I believe Mr. Kennedy would do as well under the circumstances as it was possible for one to do. I think he is painstaking, an earnest worker, a man of a great deal of ability. But in these things we are learning every day.

By Mr. Kennedy:

Q. Would you be satisfied to give John Ryan charge of that work?—A. John Ryan is a very good worker, a good man, but I would not give him charge of that bridge.

Q. Would you be satisfied if John Ryan and Edward Kennedy worked together; do you think they might do better?—A. I think, whatever John Ryan can do, Edward Kennedy can do, as far as that is concerned, or would even do better. I think that while John Ryan is a good man, still, I believe Edward Kennedy will do better, under generalities, the handling of men, &c., than Ryan.

By Mr. Archibald:

Q. What you mean is a man of more experience could have laid out the work better, but could not have conducted it better according to the plans; is that what you mean?—A. No; I mean that there is a great difference in men's ability to do work. I say that I have great confidence in Mr. Kennedy's ability and progressiveness and workmanship; but there are men who understand all the difficulties of that work and would know just how to take it, and a man of many years' experience in that class of work would be able to take advantage of all the circumstances. I think Mr. Kennedy did what it was possible for him to do under the circumstances.

By Mr. Douglas:

Q. What position did Mr. Kennedy occupy with you?—A. He was assistant superintendent on the railway.

Q. A walking boss?—A. Yes.

By Mr. Vanier:

Q. You said in your evidence a few minutes ago that a cheaper mode of proceeding would have been a coffer dam around the centre pier. Don't you know that as a matter of fact that is exactly what Mr. Parent recommended?—A. I do not know anything about it. I am simply speaking of the way I have done works for the last two years, and I cited the building of the St. Charles river bridge, the Metabetchouan bridge and the Au Sable bridge, as being done through the ice.

Q. As an experienced bridge builder, do you think it was absolutely necessary to build those four abutments on the two bridges exactly in line with the revetment walls of the canal?—A. Those questions I do not know anything about.

Q. Would it have been possible to build those abutments inland, and make them go down just below the line of frost?—A. Of course that ground was in the possession of the government; of course you could build your piers upon piling by getting back far enough. You have to go back sufficiently so that your slope would have

proper bearings. That is all a matter of calculation for the engineer. That would increase your iron work and superstructure, and the decrease of your masonry would have made up for that. We do that wherever we can in constructing bridges.

Q. But you prefer sometimes to lengthen the span of your bridges and diminish the cost of the masonry?—A. Often times. It makes more waterway and gives you more clearance. It is just the ordinary cost of the superstructure and the masonry and foundations.

Q. The saving in the masonry of about 3,000 yards at \$37.50 a yard, is about \$115,000; and expenses connected with them, \$60,000 to \$80,000; in round figures, \$200,000 could be saved by this change?—A. As far as figures are concerned I have nothing to say, I do not know anything about them. But it looks to me as if a great saving could have been made by doing the work in that way. If it were so done, in addition to what I have said, it would obviate the building of any coffer dams and abutment.

By Mr. Atwater :

Q. Did you state what depth of water that would allow for?—A. There is no trouble getting any depth you want. It would save a large amount of masonry and increase your length of span.

By Mr. McLeod :

Q. How much would it increase the length of span?—A. That depends upon how much you went back. If you went back 25 or 50 feet it would increase the span so much. What is the length of span as it is, the whole swinging span?

Mr. PARENT.—A little over 200 feet for the Wellington bridge, and the Grand Trunk bridge is a little longer.

Mr. BREWER.—It makes a pretty good swing.

Q. That would increase the cost of the whole span. Of course it would require to be a heavier span altogether?—A. Certainly.

By Mr. Atwater :

Q. I suppose, as a contractor, you are always in favour of doing works by contract?—A. Not particularly, I believe in government doing just what it pleases in these matters, but I do not believe in shoving the responsibility of their own actions off on innocent parties.

By Mr. Parent :

Q. You are aware that Mr. Kennedy was in charge of the works here?—A. Yes.

Q. Supposing Mr. Kennedy had met with an accident which would prevent him from going on to the works at a time when they were in full progress, do you consider that a new man stepping into his place could proceed with the work without a loss of a certain number of days?—A. I consider it would be a great loss, undoubtedly, to the work; it would be a great disruption to the work.

Q. How many days do you think, under those circumstances, would be lost?—A. I could not say that.

Q. You have an idea of the works, how everything was in good organization; now suppose a new man stepped in, don't you think there would be a loss?—A. There would be unless Mr. Kennedy had assistants who had the work well in hand. This man would simply have to step in and take control of these men, simply learn what those men knew and to guide them properly. Some of the details might suffer, no doubt. But if that man was an able man and there were good lieutenants on the work who had been working under Mr. Kennedy's instructions, there might not be much trouble.

Q. There are details of plans unfinished, the derricks, the purchase of material—all these things were in his hands, and they were scattered about the works?—A. You mean taking Mr. Kennedy off from the work under those circumstances?

Q. No, I mean if, for some reason or other, he had been obliged to absent himself 40 days?—A. It would be very difficult for that man to pick up the strings; he would have great trouble in getting hold of all the threads of the work, unless, as I said, there were able lieutenants, men who had perfect control of the work under Mr. Kennedy, as assistants. Mr. Kennedy was doing the whole superintending alone, and it is very risky for a man to be put on and not given able lieutenants to help him carry on a work of that kind.

Q. You could not give an opinion of the delay which would be caused?—A. No, I would not like to do that. It all depends upon circumstances.

Q. You could not expect a new man to step in and not cause a loss of time?—A. He would have to learn the difficulties to be contended with in the accomplishment of the work.

And further deponent saith not.

The commission then adjourned till 2 o'clock

S. A. ABBOTT, Stenographer.

MONTREAL, 7th August.

Afternoon Sitting.

J. J. CURRAN, Q.C., Solicitor General, sworn:—

By Mr. Archibald:

Q. You are the member of the Dominion parliament for the constituency of Montreal Centre?—A. Yes.

Q. That comprises the place where the present works of the Wellington street bridge are situated?—A. Yes.

Q. I think you had a good deal to do with the initiation and carrying through of those works?—A. When the Honourable John Henry Pope became minister of railways and canals, the board of trade of Montreal, the Grand Trunk railway and the citizens generally in the neighbourhood of those works agitated strongly for the building of a new bridge. I went to see Mr. Pope about it. He said that he favoured a tunnel. I was also in favour of a tunnel. Some time after he told me that the policy of the government was to deepen the canal, so as to make it navigable for sea going vessels, and that the board of trade had petitioned to have the canal deepened so as to make it suit the requirements of the trade. I believe the people west objected to the canal being throttled at its neck by a tunnel that would not admit the deepening of the canal, and he said that he would build a bridge. I had a vote taken in the house, at least through my solicitation, a vote was taken, first for twenty five thousand dollars, and then for a larger amount another year. Mr. Page intended to build an additional bridge, and a delegation went up from the city of Montreal, to choose the spot where the new bridge would be constructed. Before the matter reached its termination, Mr. Page died, and Mr. Trudeau was appointed deputy minister of railways and canals and chief engineer. The work was delayed and I was subjected to a good many attacks in the papers for this delay, and I went perhaps fifty times to see Mr. Trudeau about it. He always had his plans of widening and deepening the canal, before anything would be done. I discovered afterwards, for I went to Sir John Macdonald about it in 1891, that he was opposed to

the building of a bridge until the canal had been deepened. Sir John Macdonald wrote me a letter on the 18th February, 1891, from Hamilton, in which he said: "I send you Trudeau's report. In order to build a bridge at the canal, the canal must first be deepened. Its deepening will take place and a vote will be taken for the purpose next session." I kept on at it and, finally, after a good deal of exertion, I brought the matter up in the house. I made a speech on the subject, saying that Mr. Trudeau would neither adopt Mr. Page's plan, nor suggest one of his own. My speech is in *Hansard*. In answer to my speech, Mr. Haggart said the bridge would be built the forthcoming winter, without fail. In view of all that had been said about it, I received any number of communications, enclosing newspaper clippings and so forth, and after this promise of Mr. Haggart I received a great many telegrams congratulating me on having finally succeeded in getting the promise of the government for last winter.

Q. That brings you up to the month of October?—A. That brings me up to the time Mr. Haggart promised in the house the bridge would be built, without fail.

Q. What happened after that?—A. Having been disappointed on two successive votes, I inquired every now and again what was being done. I may have seen Mr. Parent about it on the street, not officially, but just talking to him, and I saw Mr. Kennedy. Mr. Kennedy told me a couple of times: your bridge will not be built this winter.

Q. What reason did he give?—A. He said they should be preparing the material in the summer and fall, getting the stone out and prepared, and all that kind of thing, so as not to have a rush in the winter.

Q. Did you see Mr. Trudeau about that?—A. I spoke to him several times. Every time I went to Ottawa I saw Mr. Trudeau or Mr. Haggart about the building of the bridge. Mr. Haggart said: There is no difficulty about it, I promise you it will go on; and he would bring in Mr. Trudeau and, finally, they showed me a tracing of the structure. That would be towards the end of the summer, I suppose.

Q. Was that the superstructure?—A. Yes.

Q. Did you tell them that material ought to be gathering for it?—A. Yes, I was very anxious about that. I had been disappointed so often and I felt the necessity of the bridge so much, because I knew the spot, and saw the terrible obstruction to traffic and travel there. People were actually in danger of their lives on the old bridge, and we kept dunning the department all the time about this bridge and, finally, when that plan was shown to me, Mr. Trudeau took me into his office one day and said to me: Well, now, about your man Kennedy there, the superintendent. I am very well pleased with him. There was some opposition to his appointment, but he has given great satisfaction. I know the people on the canal speak very highly of him, and he is doing his work well. Then he went on to say: About this new bridge, you know this is no part of the superintendent's work. As superintendent of the canal he has nothing to do with it. There is no appropriation to pay him for the extra labour he will have to give to that bridge. It is not part of his business as superintendent. Well, I frankly admit that I thought Mr. Trudeau was trying to put me off again for another year, and I said: Well, I think Mr. Kennedy will not claim any remuneration unless it is given him by the government, and he ought to be willing to run his chance for that, and I think I told Mr. Kennedy that he had been well spoken of by the deputy minister. That is about all I remember of that conversation.

Q. Did you have any other evidence that Mr. Trudeau had in mind the bringing in of an outsider to that work?—A. Oh, when Mr. Ogilvie and myself went to Ottawa as a deputation, which we did about October, Mr. Parent was in the office with Mr. Trudeau when Mr. Ogilvie and I went in. We just stood at the front of his desk. What we went for was to represent the views of those who did not wish the water to be taken out of the canal until March, and to prevent the unwatering. In the course of the conversation, Mr. Trudeau again mentioned about Mr. Kennedy. It was he that opened the conversation about Kennedy, stating that it was no part of his work as superintendent of the canal to have the superintendency of that bridge. I may state that, all along, the question of building the Grand Trunk bridge never entered into the conversation at all, as it was understood that the Grand Trunk

would build their own bridge and the government would pay for it. So that all our conversation was with regard to the new bridge to replace the old Wellington bridge, and he then again said that it was no part of Mr. Kennedy's business, and that there was no appropriation to pay him for this extra work. I was still under the impression that he was not favourable to the bridge nor to anything being done in connection with crossings, either over or under the canal, until his plan, which he had drawn, for widening and deepening and straightening the canal, should be carried out. Mr. Ogilvie said that Mr. Kennedy would be perfectly willing to take his chances of getting paid and so on. I happened to meet Mr. Hugh Ryan, and spoke to him about this question.

Q. Who is that Mr. Hugh Ryan?—A. He is a contractor.

Q. Rather an eminent contractor?—A. Yes, a very eminent contractor. He is the contractor of Sault St. Marie canal. I found from him that Mr. Trudeau had in his mind to bring in some person from outside the department altogether to superintend that work. In fact, he had asked Mr. Ryan to suggest a man, and Mr. Desbarats, who made the plans and so on, was to come down here and take charge of the work, of course, I presume, under Mr. Parent, who is engineer of all the canal. Mr. Desbarats made the plans, and was to come down as engineer, and some outsider was to do the work, but, under the circumstances, after Mr. Ogilvie's statement and what had been said to Mr. Trudeau generally, the matter went on as it is.

Q. Did you understand that Mr. Kennedy made any condition to his acceptance of the overseeing of the works?—A. Mr. Kennedy was not present when this conversation took place. Mr. Parent was there, and I think he was under the impression that in speaking of Mr. Kennedy there was some desire to disparage him or his authority, but there was nothing of that kind in my mind at all. In fact, Mr. Ogilvie spoke several times about Mr. Parent being the engineer and giving his advice to Mr. Kennedy and so on, so that there was no influence of any kind and no idea of political influence in the matter. The only desire was to overcome whatever might be in Mr. Trudeau's mind about postponing the work again. When we went out into the passage, we met Mr. Kennedy and he said: I do not want to undertake that work as a contractor, or something of that kind. Mr. Ogilvie said to him: That is all right now, you take charge of the work, and put it through, and have our water back in the canal on the 1st of May, and you will make a name for yourself. Mr. Kennedy left us and went into Mr. Trudeau's office.

Q. Did either you or Mr. Ogilvie, or Mr. Kennedy, have any idea of interfering with the authority of Mr. Parent in the matter?—A. I certainly had not. I did not wish to interfere with Mr. Parent in the slightest degree. He is the engineer not only of the Lachine canal, but of the Chambly and other canals, and I had no desire indeed to diminish his authority or interfere with him in any shape or form.

Q. What did you understand by the reserve that Mr. Kennedy seemed disposed to make about having control?—A. What I understand was, from the conversation I had with Mr. Kennedy, that, in his opinion, the material should be prepared during the summer and the fall, and whatever time intervened before the actual construction began, and that he wanted to be able to push these things on and secure the stone and all that was necessary to enable him to carry on the work successfully and complete it in time.

Q. That is to say, that he should not be obliged to wait the fulfilment of all sorts of government formalities?—A. I understand what he wanted was to get charge of the construction of that bridge, under the superintendence of Mr. Parent, but that he was to secure all the materials, have the stone quarried and prepared and on the premises, so as to be ready for use when the time came for construction.

Q. What was the next incident in connection with the matter which came before you?—A. This was in the month of October. The next incident that I noticed was a considerable amount of agitation in the press of Montreal. They said that 7,000 men were going to be thrown out of employment, and there was quite an excitement raised. I received a notification to attend a meeting to be held in Mr. Ogilvie's office on Common street. I went there, and I suppose there were present,

apart from Mr. Parent, Mr. Kennedy and myself, who were there by invitation, twenty-five or thirty of the prominent men who have business in connection with the canal. As far as I remember, nearly every one present had a large interest in the canal. Mr. Drummond was the only one of those not there.

Q. What seemed to be the feeling of that meeting?—A. It was unanimous against the projected taking the water out of the canal in the month of December. All kinds of reasons were given why that should not be done. First of all, that the factories and mills all along the line of the canal would be stopped. Then there was the question of the men who would be thrown out of employment, several thousand, no doubt, and it would have been a very serious thing indeed. Then the question was discussed as to the effect on the canal walls of taking out the water in the cold weather, and all these things were discussed by Mr. Parent and other gentlemen who had large experience there. The different modes of doing the work were discussed. Mr. Parent made quite a speech, stating his views as to how the work could be done. I am not sufficient of an engineer to remember all about it, but I know the matter was discussed *pro* and *con*, and it was resolved to petition the government against allowing the works to be done then, and to insist on its being done in March and April. The canal is unwatered every year for repairs, and the thing was brought down to the finest point, and it was held that another month added to the time usually devoted to the unwatering and repairing the canal would be sufficient if things were rushed to carry out the construction in time.

Q. Was there any other deputation sent to Ottawa towards that time?—A. I am not positive about that.

Q. You did not accompany it?—A. If there was one, they did not ask me to go.

Q. At any rate, after that it was decided not to unwater the canal until March?—A. Yes.

Q. What was the next way in which the matter came before you?—A. I do not remember having had anything to do with it, from that time, until Alderman P. Kennedy handed me a letter from the superintendent.

By Mr. Douglas:

Q. Is that the letter, exhibit seventy-five?—A. This is the letter which I now hand you. This copy handed to me, marked exhibit C seventy-five, is a true copy.

By Mr. Archibald:

Q. Look at exhibit C seventy-six?—A. I replied to this letter. The letter was handed to me by Alderman Kennedy, as I was leaving for Ottawa, and I put it in my pocket and read it on the train. I waited my opportunity to see the minister in the house that afternoon, and I spoke to him about the contract for hiring labour, mentioned in this letter, exhibit C seventy-five, from Mr. Kennedy. I was, of course, surprised. I never had heard anything about any tenders or contracts or anything else. That was the first information given me on that subject, and I spoke to the minister about it. I will not be positive that I read him the letter. In fact, I think I did not; but I spoke to him about its contents, and more particularly about this contract for hiring labour. He said the labour had been tendered for. I said I was not aware of it. He said, yes, it is, and Mr. St. Louis is up here about the difficulty you spoke of with regard to the classification of the labour. After some conversation with him, which was about this information, I think, he had received from Mr. Kennedy, I think. Mr. Ouimet was in his place in the house, close to me, and I went over and spoke to him. He said: I never knew anything about this contract at all. I never knew anything about any contract for labour. I said, Mr. St. Louis is up here in connection with a dispute with Mr. Kennedy as to the classification of the labour. He emphatically said that he knew nothing about such a contract having been given at all until then. Later on, I met Mr. St. Louis in the passage, and he spoke to me about the difficulty he had with Mr. Kennedy, and I said: I cannot interfere in your difficulties at all. That is all which was said between Mr. St. Louis and myself, and the only conversation I ever had with him about his contract.

Q. Mr. Haggart gave you to understand what?—A. That tenders had been called and the contract awarded, and when I spoke to him about this difficulty that had arisen with regard to putting labourers upon the contractor's list, he said that he had seen Colonel Ouimet. I then went around and spoke to Mr. Ouimet, who told me he knew nothing at all about the contract and never knew there was one.

Q. What did you do then?—A. I then wrote a letter to Mr. Kennedy, saying: "I have seen the minister of railways and canals, and find that all has been tendered for, including the labour for carrying out the work of the bridge. As superintendent of the canal, you will, of course, have to certify to the accounts. Mr. Kennedy then took them out to see that nothing is certified to which is not in your judgment correct. In the event of a disagreement with any of the contractors as to the classification of the work or the prices to be paid for it, you will, of course, have the matter referred at once to the minister at Ottawa, so that you may not be held responsible in the future for the application of any false principal in connection with the nature of the work done. A question may arise as to what is skilled labour, and you may have some conflict with the Grand Trunk, but your plan is to refer the matter to the department and be guided by their decision in each case, and you will not be held responsible." I sent him that letter on the 14th March, two days after this original letter was written to me. I pointed out the difficulties which might arise in the classification of labour, and a difficulty had actually arisen as to what was and what was not skilled labour.

By the Chairman:

Q. But you told him he would have to sign the pay-lists?—A. I said, "As superintendent of the canal, you will, of course, have to certify to the accounts, and it will then become your duty to see that nothing is certified to which is not absolutely correct."

Q. It was his duty to see that everything was carried out correctly?—A. Certainly.

Q. On the Grand Trunk bridge?—A. On the contrary, I know it was the intention of the department that the Grand Trunk bridge should be built by the Grand Trunk, and paid for by the government. It was an afterthought altogether, as has been explained by Mr. Parent, that the Grand Trunk declined to go on with the bridge at the last moment.

Mr. PARENT.—Because they couldn't do in the time fixed?—A. I do not know whether they could or not, but there never was an idea hinted even that Mr. Kennedy should have anything to do with the Grand Trunk bridge.

Q. Was there any other communication you got from Mr. Kennedy?—A. On the 16th, I received this telegram from Mr. Kennedy, addressed to me: "Will arrive in Ottawa by 3.30 p.m., C.P.R., train. Want to see you at Russell House, 4 p.m., without fail. Important business. E. Kennedy, superintendent, Lachine canal."

Filed as exhibit C—77.

Q. What did you do when you received that telegram?—A. I went over to Mr. Schreiber's office and I told him that Kennedy was coming up. He was very much annoyed. He told me that Kennedy had no business there, that his place was on the works. I remember distinctly that part of the conversation.

Q. What did you do then?—A. I saw that Mr. Kennedy was likely to get into trouble if he showed up at Ottawa. I telegraphed him on the 16th of March, 1893: "Do not report at railway department until you see me." I sent him that on the train, so that it would catch him there.

By Mr. Douglas:

Q. Was Mr. Drummond with you at the time?—A. After I had my interview with Mr. Schreiber, Mr. Drummond came to my office, and he said to me: "I have a telegram from Mr. Kennedy that he is coming up here." "Well," I said, "I received one also, but I have been over at the department, and Kennedy will get into trouble if he shows up there." And I said: "You have a good deal of influence

on Kennedy, telegraph him, and I will do the same, not to go to the department before seeing me."

By Mr. Archibald :

Q. Then, you did meet Mr. Kennedy afterwards in Ottawa?—A. I met him at the train. You see it was the 16th of March, and I came to Montreal on the 17th of March, and had to leave by that train. I was president of the St. Patrick's Society at that time, and had to be in the city for the celebration of the 17th, and I left by the 5 o'clock train, the Canada Atlantic. Mr. Drummond was on board with me. I do not think he was going down with the same object, but we met Kennedy there, who had received our telegrams.

Q. And you all came down together?—A. Yes.

Q. Did you talk about this matter in the cars?—A. Yes.

Q. What was the purport of your conversation?—Kennedy was very much excited over the matter. I told him the conversation I had with Mr. Schreiber, that it would not do for him to go to the department, and he said: he wanted to give up the superintendence of the work of the bridge altogether, that it was going to ruin him. He said: "I expected to have made a record for myself in carrying out this work, but the way things are turning out I cannot do it, and if I were to build the bridge in 15 days, and it cost too much money, they would say anybody could do that." I said to him: Mr. Kennedy, that is all very fine, you are superintendent there, you have been recommended by the first men in Montreal, some of the best contractors in the Dominion have certified to Sir John Macdonald that you were fit for that place, or you would not have got it, because Sir John refused to appoint Mr. Kennedy until he had certificates from such men as Mr. Beemer, one of the Messrs. Davis, and a lot of other contractors of note. I said: "You have been appointed, this work is to be finished the first day of May; you are to have the water in the canal the first of May, and if you do not there will be a loss to the general public that I cannot estimate." I said: "You feel badly about this matter, but you have got to go on with it and do your work and have the water in at the proper time." I said: "If the water is out of the canal after the first of May, there would be trouble with the manufacturers and their operatives, the forwarders will be stopped, vessels will be lying in port, and there will be a general upheaval." I said: "You know very well if there was a little break in the canal for half a day at Cornwall or elsewhere, the press is ringing with it, and you can fancy what excitement there will be if the water is not in the canal by the first of May." I said: "Go on with your work and do it like a man and do your best." Under those circumstances he gave up the idea of abandoning the superintendency and went on to work. I said: "If you attempt anything of that kind, you would be dismissed from your office. At any rate you cannot stop that work now, it has to be done in the interest of Canada, because there would be a tremendous loss if the water is not in the canal by the first of May."

Q. I suppose you thought it would be impossible to get another man in his place who would take up the work where he left off?—A. Undoubtedly, he was there in the middle of the work, and I had confidence in him as a man of push. For my sake, I wanted him to finish the work by the first of May, as well as for every other consideration. After I had talked to him, I handed him over to Senator Drummond, who also talked to him in the same sense, I believe.

Q. There has been some hint here about the use of political influence in the selection of the men engaged in this work. Do you know anything about that?—A. I have no knowledge of it at all. I tell you I knew nothing about the construction of the bridge or anything that was going on until the month of March.

Q. You did not use political influence to get men employed who ought not to be employed?—A. No, I do not think there ever was a work carried on in my constituency in which I had less to do. I think you will not find a letter of mine in the whole place here recommending people, with the exception of one. Some young man was recommended as a time keeper

and I merely asked that he should be appointed if there was a vacancy. I made no effort to get men on, or anything of that kind, and was not applied to.

Q. Do you know anything more than has appeared here in the evidence of Mr. Schreiber about the cause of Mr. Kennedy's suspension?—A. No, I do not know anything at all about it. I did not know he was going to be suspended, nor Mr. Parent, either, for that matter. The first I heard about it was when I was preparing to go to Ottawa; a *Star* reporter came into my office and asked me if I had heard of the suspension. I said, I had not.

Q. Subsequently, had you a conversation with anybody concerning it?—A. I was detained that afternoon in Montreal. I went up to Ottawa the next day, intending to have a conversation with Mr. Haggart and found he was gone to British Columbia.

Q. Up to that time, you had not heard of the complaints about Mr. Kennedy's management of the work?—A. I had heard one complaint in this way: After the bridge was all completed, I saw Mr. Schreiber and Mr. Haggart. Mr. Schreiber was here towards the end of the work and I heard no complaint from him then. Subsequently, at Ottawa, crossing the parliamentary grounds, one day, I met Mr. Haggart and asked him if he was not going down to inaugurate the new bridge. He said something about the bridge—I forget exactly what the remark was, he was vexed and said something about Mr. Parent and something about Mr. Kennedy, I saw that he was vexed, so I thought I would allow the inauguration of the bridge to go for that day, and I never heard a word about it afterwards until a *Star* reporter asked me if I had heard of the suspension. I was going to Ottawa on an entirely different business, but was detained that evening and went the next day when Mr. Haggart had left. The Honourable Mr. Bowell was in charge of the department. I asked him what was the matter, what were the charges against Mr. Parent or Mr. Kennedy, and he said he did not know, but that Mr. Haggart had asked him to suspend those officers and he had done so. Mr. Schreiber and Mr. Douglas came to Montreal a day or two afterwards and I saw them here.

Q. Have you any other information you think the commission should be acquainted with?—A. I am ready to answer any question you may ask me.

By Mr. Douglas :

Q. Do you remember the interview between Mr. Ogilvie, Mr. Trudeau and yourself with reference to Kennedy, and whether the word overseer was used. It has been said here that the word overseer was used as if it were something different from superintendent?—A. We did not go out there to have Mr. Kennedy appointed at all. We went for the purpose of inducing the government to postpone works until the month of March, but in the course of the conversation Mr. Trudeau spoke about the work that was to be done, and said it was not a part of Mr. Kennedy's business. He spoke just as he had spoken to me before in his own office on the same subject. He said there was no appropriation, that Mr. Kennedy would get no extra pay, and it was too bad to put that work upon him without any money being provided to pay him for his extra trouble; but as to any fine distinction between overseer and superintendent, I have not the slightest recollection of that.

Q. You do not remember the word being used?—No.

Q. It was stated here that he got instructions over the term overseer?—A. From the conversation we had, I thought that Mr. Trudeau would send down a letter of instructions to Mr. Kennedy, but I do not know whether it was ever done or not.

Q. Instructions came to Mr. Parent appointing Mr. Kennedy overseer, and he was verbally requested to do so by Mr. Trudeau, and Mr. Parent laid particular stress on the word overseer. Do you remember that word?—A. I do not.

By Mr. Atwater :

Q. You understood from the letter which Mr. Kennedy had written you, that what he complained about was the system of letting out this labour by contract instead of employing it himself?—A. There are two complaints mentioned in the

letter. One was as to the system, the other was the system having been adopted, there was a difficulty about the classification, and that common labourers were sought to be put on as skilled labourers.

Q. So far as the system of getting labour by contract itself was concerned, from the point of view of the department, considering the time in which they had to do the work and the possibility of strikes and the difficulty of obtaining labour, what would be your own idea with regard to their adopting that system?—A. I am not a contractor and cannot say anything about that.

Q. You would not be prepared to condemn them for having done it in that way?—A. I am here to state facts only.

Q. Did you mention the matter to the department when you got Mr. Kennedy's letter, or complained in any way about their having adopted the contract system?—A. When I got the letter, that was the first intimation I had that such a system had been adopted and that a contract had been given. If you really want to know what I felt, it was this: that in view of the work being done in my constituency, I thought I should have been told this was going to be done, so that I might have notified a certain number of contractors who had put in tenders for the labour.

Q. As a matter of fact, you knew about it?—A. I knew nothing about it. I had nothing to do with the contract for hiring the labour or any contract for supplies, or anything in connection with this bridge from beginning to end.

Q. Did you not exercise any influence or anything of that sort?—A. Not at all, because as I told you, I had not anything to do with it.

Q. One of the witnesses said that he had spoken to you about trying to get a contract from the superintendent, and you had introduced him to Mr. Kennedy. Mr. O'Connor said this?—A. Mr. O'Connor came to my office. He said: "There is going to be some work done on that bridge, and they will require some lumber and I ought to get a share of that." I said: "Mr. O'Connor, I will give you a letter introducing you to Mr. Kennedy." I would have done that for any other constituent.

Q. And you did so?—A. Yes.

Q. There was no exercise of influence whatever in Mr. O'Connor's favour?—A. There could have been none, because he did not get any of the supply.

By Mr. Parent :

Q. In the conversations with Mr. Trudeau, Mr. Ogilvie and you and I had, our recollection is not the same?—A. I do not suppose any two recollections of conversations are the same; but in the main, the facts should be the same.

Q. I know there was a conversation about all you said, and I agree it was all said, but there is one little point on which we differ. You said it was Mr. Trudeau who first spoke about Mr. Kennedy?—A. I think so.

Q. My impression is that when you spoke, it was like a slap at my face as it struck me?—A. That may have impressed you, but it was not in my mind at all.

Q. I found that out afterwards, and that is why it make me think that you got the first word about Kennedy, by stating Kennedy should be the overseer of that work; and it struck me, why is that asked? He is naturally, as superintendent, the man who ought to be in charge of the work, as he is on all the other canals?—A. You see, Mr. Parent, Mr. Trudeau had already spoken to me.

Q. That is what I believe.—A. Previous to that meeting at all, and he brought the subject out himself. He commenced by praising Kennedy to me.

Q. That I understand perfectly well.—A. I did not know exactly why he should introduce that subject, and then, his immediately saying afterwards: "There is no money to pay him for this work, it is not of his business, it is work he should not have the responsibility of," and so on. I had not you in my mind at all. My own idea was that Mr. Trudeau wanted to delay the bridge again, because, and I do not exaggerate, I had 50 interviews with him about that bridge, and he always had some excuse for putting it back, and when he praised Kennedy in that way and then brought in the question of the bridge, and spoke about its not coming within the scope of his duties, &c., I thought that perhaps he wanted to postpone the bridge.

and that was the reason I spoke, for I had no interest in putting that responsibility upon Mr. Kennedy. He was not getting anything for it any more than yourself. My sole object was to get the bridge built and have it ready for the first of May.

Q. The only reason I mention this was because your version and mine did not agree. I said the first word I heard about it was the proposal that Mr. Kennedy would be the overseer.—A. That could not be. We did not go there for his appointment at all.

Q. That is what I say, why should you speak to Mr. Trudeau about it?—A. Because he had already spoken to me about it, and had mentioned that there was no provision for paying Mr. Kennedy for this extra work.

Q. That did not strike me.—A. We went there to speak about the unwatering of the canal. I can say here that I have never used a feather weight of influence against you in my life.

Q. I do not say so. We will drop this at any rate; that is a very good explanation. You stated that Mr. Trudeau had a very high opinion of Mr. Kennedy. How do you suppose he got that opinion?—A. I do not know anything at all about that.

Q. Do you know how he got it?—A. It is impossible to remember all this conversation. He may have mentioned your name amongst others as having spoken highly of Kennedy, or he may have mentioned other parties connected with the canal, but at all events, he told me he was very much pleased with him, that he had turned out a first-class man and was doing his work well, and all that.

Q. Yes, because I told Mr. Trudeau myself on several occasions, even on an occasion when Mr. Kennedy and myself went up to have an explanation about a little quarrel.—A. I know very well that Mr. Lesage, who is one of the best men of the department, has told me that things were going on very well between you and Mr. Kennedy.

Q. To some extent, to a great extent, but some little things did not go on well?—A. There are always some little things that do not go on well.

And further deponent saith not.

E. J. DUGGAN, *Stenographer.*

Afternoon Session.

4th August, 1893.

GEORGE A. DRUMMOND, Senator, being sworn, deposes as follows:

By Mr. Archibald:

Q. One of the witnesses here makes some remarks concerning a macadamized road in connection with your sugar factory, what explanation have you got to make with regard to that?—A. I do not know anything about it, I do not believe anything has been done. And I can add that I never had any communication with Mr. Kennedy on such a subject.

Q. Is there a road along the bank of the canal?—A. There is, which gives access to the canal along that frontage, but we do not specially use it. St. Patrick street affords all the access that we want. As a matter of fact I never asked or communicated with Mr. Kennedy on the subject, nor do I know that any work was ever done on the place. Then there was a reference to my St. Henri property, unless papers made a mistake. With reference to that I say that I have no property at St. Henri which borders on the canal, that is at all affected by anything that goes on in the canal, and I am not aware of anything having been done there, either, and I am aware that nothing was ever asked for by me, nor was it in any shape or form brought up.

By Mr. Douglas.

Q. Does that road belong to the government, or is it a private road?—A. I believe that road is partly the property of the government and partly the property of the corporation, and so far as I know, nothing has been done. It has not been kept in order at all. At the present moment it is littered all over with stones, apparently from those works.

Q. So the macadamizing of that road would be of no advantage to you?—A. Certainly, I do not use the road at all, except when you cross the street to reach the canal.

Q. Were these macadamized?—A. No, that belongs to the city.

By Mr. Archibald :

Q. Since you are here, I may ask you one or two questions. Did you happen to come down from Ottawa, or to meet Mr. Kennedy in Ottawa, during the course of last winter?—A. Yes.

Q. Can you say about what date?—A. No, I am not very sure, about the beginning of March.

Q. Did you have some conversation with him on that occasion?—A. Yes.

Q. Would you mind relating the nature of that conversation?—A. Well, I had a telegram from Edward Kennedy in Ottawa, that he wanted particularly to see me in Ottawa. I had made arrangements to leave by the afternoon train, and it was not convenient for me to remain in Ottawa; I was coming back to Montreal by the afternoon train. On the receipt of that message, not knowing what it could refer to, I mentioned it to Mr. Curran, when he told me he had a similar message from Mr. Kennedy. Mr. Curran said that this message from Mr. Kennedy, the intent of which he did not know, was to the same effect as mine, namely, that he wanted to see him in Ottawa. Mr. Curran had seen Mr. Schreiber, and Mr. Schreiber expressed surprise at Mr. Kennedy's coming up, and asked why he left his duty on the canal to come up to Ottawa. Mr. Curran stated that he had thereupon advised Mr. Kennedy not to come, and asked me if I would do the same, if I thought it right to do the same, which I did. I telegraphed to Mr. Kennedy, thinking that it would get him into trouble with his superiors, that he had better not come. When I was leaving on the afternoon train, Mr. Kennedy turned up. He had been too late, he said he had not received my telegram and he had come, but in consequence of what I had advised him, he would return by the same train, which he did. I then asked what was the matter?

By Mr. McLeod :

Q. In his telegram he simply said that he wanted to see you in Ottawa?—A. He said, I want particularly to see you; please remain. That was all he said. I have not the telegram, but I have no doubt it could be got. I am willing to produce it if desired. I asked him on the train coming down to Montreal, what was the matter.

Q. What time was this?—A. Early in March, I think. He said that the work of superintending this bridge had practically been taken out of his hands, and that a contract had been made for so much work at days' wages, which he was satisfied in his own mind would lead to a largely increased cost of the bridge and to trouble in the future; and I think he had contemplated throwing up his situation at the time.

By Mr. Douglas :

Q. The bridge portion alone, not the canal?—A. I cannot say. We only spoke generally on that point, and I am not clear that he defined that intention very well. I asked him if he had any responsibility with reference to the giving out of that contract, and he said, no, he had none. Then I said, in one sense it is none of your business what the nature of the contract is that has been given by the board of

works, and I advised him to continue his duty, do the best he could, and be very circumspect in all his proceedings so as to keep his skirts clear. That terminated that special incident.

By Mr. Archibald :

Q. I think you were pretty much every day in the vicinity of those works in passing between your town office and your warehouse?—A. I cross the bridge usually once a day.

Q. I think you have a considerable experience of works of that character, have you not?—A. Yes, I have, of works generally, and of employment of men.

Q. Now, in passing backwards and forwards there, what impression did you receive as to the manner in which the work was done about the bridge?—A. Well, I could see that it was a great undertaking, and that it was conducted under high pressure, and with considerable climatic adverse influences. After the bridge was begun, there was a very severe spell of frost, which I must say I thought added very materially to the difficulty. Then I watched the progress of the works in an incidental way, having nothing to do with it, as you are aware, and I came to the conclusion that the work was well done.

Q. Did it seem to you that it was going on at haphazard, as it were, without any proper control?—A. No, on the contrary, I thought that every reasonable provision had been anticipated. There were plenty of derricks and apparatus provided, and the gang-ways and the temporary works seemed to be more than sufficient, if they erred at all.

Q. Now, you have had experience in connection with the management of the canal for a long time, having your sugar factory on its bank?—A. Well, incidentally, passing by.

Q. Are you prepared to give an opinion as to the manner in which the canal has been administered under Mr. Kennedy?—A. I arrived at the conclusion that the supervision of the canal had never been so rigorous and efficient before as it was under Mr. Kennedy.

Q. From your daily duties you have an opportunity of seeing that?—A. Yes.

Q. There has been something said here about the engagement of men for this bridge work through political influence. Have you anything to say, so far as you are concerned, about that?—A. So far as I am concerned, I say that I know nothing of any such influence, that I never recommended anybody, or any contractor, or was cognizant of any expenditure being undertaken for political purposes in connection with the bridge or the canal. I do not know that I ever recommended a man, I certainly never recommended a contractor. I have no recollection whatever of any contract which, even inferentially, had any reference to political ends.

By Mr. McLeod :

Q. You had nothing to do with the appointment of Mr. Kennedy?—A. Yes, I had. At the time, I used my influence in favour of Mr. Kennedy, and I have never seen reason to repent it—I mean his first appointment as superintendent. As for his appointment to oversee this bridge, I knew nothing of that whatever.

By Mr. Atwater :

Q. You are interested in the works on the canal, I believe?—A. Only as connected with the Canada Sugar Refinery Company.

Q. Mr. Ogilvie spoke this morning about a request of the manufacturers who use water power from the canal, who asked that the canal should not be unwatered in December; do you know anything of that?—A. No; I was not present. We have no water power from the canal. I was not present at that meeting, and took no part in it.

Q. Do you know of such a meeting having been held?—A. I heard of it at the time.

Q. Supposing the canal had been unwatered as early as December so as to give a longer time to complete those works, do you think what effect it would have had?

—A. I think it would have thrown every man out of the canal, more or less, out of work, and it would have stopped our works entirely.

Q. Would it have stopped the work of the Canada Sugar Refining Company?

—A. Yes, entirely.

Q. How many operators would have been thrown out of employment?—A. In our own establishment?

Q. Yes, and altogether?—A. Between six or seven hundred men would have been thrown out of employment in our own establishment; and several thousands would have been thrown out of employment altogether. I may say with reference to that, that some of the other works have steam power, and they might have gone on by either turning the steam power into use, or by adding steam power. But in our case we should have stopped altogether.

Q. So that it was in the interest of a large number of employees and of manufacturers along the canal, that this work should have been commenced at as late a date as possible and finished as early as possible?—A. If it had been begun much earlier, it would have produced a very serious state of things all round the neighborhood on account of loss of employment.

Q. Would that have been greater than any additional cost the government might have been put to by doing it as a forced job, as it was done?—A. Certainly, a great deal more.

Q. What would have been the damage, in your opinion, if this work had not been completed by the opening of navigation, or by the first of May?—A. There would have been a rebellion on the point if they had not got across the canal.

Q. I am speaking of the effect upon commerce?—A. And if the canal had not been opened on the first, there would have been a rebellion in the city.

Q. What would it have meant in dollars and cents?—A. An enormous loss, the whole of the traffic on the canal would have been suspended, if navigation had been intercepted, and the traffic of that large portion of the city beyond the canal, would have been dislocated.

Q. So that taking both these facts into consideration, the government were wise in deferring the commencement of the work to as late a date as possible, and trying to get through as soon as possible?—A. They could not have done anything else.

Q. Even at the risk of making the cost greater than it otherwise would have been?—A. Yes, a great deal more than that.

Q. In speaking of that matter that Mr. Kennedy complained to you about, did you understand exactly what it was that he was complaining about at the time?—

A. I have told you all I can recollect about it—it was, that he was satisfied that under the contract which had been made for the engagement of labour by the day's wages, the work would cost more than it would have done had it been left to him.

Q. In other words, he wanted to have the engaging of his own labour?—A. He wanted the engagement of his own labour and paying for it at the price the labourer got.

Q. Instead of doing it by contract?—A. Yes.

Q. Mr. Kennedy thought that he could have done better in the employment of labour had been left to him?—A. That is all. I am only speaking as to what Mr. Kennedy's feelings were, I could not estimate the question at all.

Q. You are not prepared, of course, at the moment to criticize the circumstances under which this contract was given for the employment of labour?—A. Not at all. I can say this: That if you had a man in whom you have perfect confidence you can trust him to engage the labour; but it would pay in many cases to employ a competent contractor, and pay him for his brains and organization to do it; to employ the labour and pay him a percentage for doing so. That is a general principle.

Q. So that you are not prepared to criticize the action of the department in contracting for the labour to be done?—A. No.

Q. Considering the difficulties that were to be anticipated in doing this work at that season of the year, the possible trouble of strikes, the difficulty of getting men, and the extreme importance of having the work finished by the first of May, do you not think that it might have been a wise thing for the department to enter into a contract for the supply of labour?—A. I do think so. But I define it in this way: That if I were the minister called upon to give out the contract, without personal acquaintance with Mr. Kennedy, or the personnel of the canal, I would have preferred engaging a contractor and paying him a percentage.

Q. That is engaging a contractor for the labour, and engaging the labour by contract?—A. Yes, I would. On the other hand knowing what I do of Mr. Kennedy, I would have taken him because I have special knowledge of the personnel.

Q. But supposing you were not the minister of railways and canals, and wanted to avoid all risks in connection with this very important work, what would you have done then?—A. I would have done pretty much as has been done, in principle. I know nothing about the details.

Q. The principle you would have adopted would be to enter into a contract with an individual by which he would have been obliged to supply you with all the labour, just as you requisitioned it, and you would have been content to give him a profit or commission?—A. I would have been content, deliberately, with my eyes open, to pay him for his experience, and his apparatus and his staff.

Q. And his facilities for engaging labour?—A. Yes; that is as a general principle.

Q. That was the principle on which the department proceeded?—A. But do not forget that, if I had had the administration of that thing, I would have trusted Mr. Kennedy implicitly.

Q. But that would be the result of your personal knowledge of Mr. Kennedy?—A. Whether the contract is a wise one or not, depends to some extent upon the percentage. You may pay too much for virgin gold. But upon that I express no opinion, because I have no knowledge.

Q. But as a principle you would have done it in the way the department actually did it?—A. As a principle, yes; I do not see how it could have been done very well otherwise.

Q. Do you know whether at the time, towards the end of last year, about the time that this contract was made, it was in contemplation to construct a good many public works in and around Montreal during the winter and early spring?—A. No; I do not.

Q. You do not say that there were not?—A. No; I do not know it.

By Mr. McLeod:

Q. It is usual for the government to let almost everything by contract, is it not?—A. Yes; I think it is pretty much the only safe thing the department administering such an extent of country could adopt.

By Mr. Douglas:

Q. You do not use water power?—A. No.

Q. How would taking the water out of the canal affect you?—A. In this way: we use pretty large quantities of water from the canal. It is merely taken out and returned a little warmer than it went in. The result is that we could not get that supply of water anywhere except from the canal.

Q. Were you deprived of it this spring?—A. During the time that the water was let out.

Q. If you had been deprived of it in December and January it would have been all the same to you?—A. If we had been deprived of it for the same time it would have made very little difference. If it had been unwatered in December it would have made but little difference. The only difference would have been that the works would have been more prolonged in December and January than in March and April, and we would have lost more time.

Q. I do not see that, because you would not have so much ice to take out?—A. I beg to differ with you in opinion, because the ice would have been forming every day.

Q. The water would have been out of the canal?—A. The ice can form with no water in the canal.

Q. Were you ever present in the canal when the works were going on?—A. Yes.

Q. Did you not see a large body of water running through all the time?—A. Yes.

Q. That would have frozen solid?—A. Of course it would. But I have no hesitation in saying that if the water had been taken out in the months of December and January, there would have been a constant formation of ice, and the whole place would have been dammed up, and it would have cost 25 per cent more to work it than it did in March and April.

Q. The engineer has stated before this commission that he recommended it to be taken out in the summer?—A. I remember that.

By Mr. McLeod:

Q. Of course the frost was very much more severe in December and January?—A. Yes, continuous.

Q. More severe than it would be in March and May?—A. Certainly. By the beginning of April the severe frosts are practically over, but we might have a spell of cold now and again. But as a matter of fact, it is my decided opinion that if you had undertaken that work in the middle of the winter, it would have added very materially to whatever cost has been incurred.

By Mr. Douglas:

Q. Do you consider that the Lachine canal was built for the benefit of the mill-owners?—A. No, I do not; but if the government chose to build the Lachine canal and let it to the mill-owners and derive a rental from them, they have a certain inferential obligation towards the mill-owners.

Q. Do you consider their interest paramount to navigation?—A. I did not say so, nor do I think so. I consider that the interests of navigation are superior. But the government are bound to respect the obligation towards the mill-owners from which they derive a revenue.

By Mr. Vanier:

Q. Did you not write to me a few days ago asking why your name had been brought before this commission?—Yes, I did, and I got no answer.

Q. I suppose you understand that the commission cannot answer private correspondence?—A. Yes.

Q. The reason I did not answer was because the commission intended to ask you to come before us.—A. I have already denied at some length the implications which I saw in the press. I did think that your position as commissioner scarcely gave you a warrant to introduce such a question at all.

Q. I read that letter to my confrères, and I think it was the intention to ask you to appear here at some time.—A. I think that if you had had any such information, you might have asked the source of your information to corroborate it or confirm the statement. You put into the shape of a leading question something which your witness could only say he had heard something about. I did think that was very improper.

Q. But the information came in the usual way before the commission. That is the reason the question was put.—A. I did not so understand it, because as I saw it, the question was put in examining Mr. Parent: Have you ever heard so and so? If you had been acting in a judicial capacity you would have said: Have you any understanding, any information that Senator Drummond's property had been benefited?

Q. Did you see the evidence that was given?—A. I saw it in the papers, that is all.

Q. The papers are not the official reports of the commission. A little later on I will let you read the evidence that was given.—A. Very good. In the meantime I have categorically denied that my property at St. Henri or my property on the reaches has had anything done to it, or that it has been the subject of negotiations between Mr. Kennedy and myself.

And further deponent saith not.

S. A. ABBOTT, *Stenographer.*

LACHINE CANAL INQUIRY.

MONTREAL, 4th August, 1893.

The commission met at 10 o'clock, a.m.

Present: Messrs. McLEOD, VANIER and DOUGLAS.

W. W. OGILVIE, Miller, on being duly sworn, deposed as follows:—

I would like to make a statement, and after that I will answer any questions put to me.

On the 18th October last, I was informed that the government proposed to take the water out of the canal on the first of December, for the purpose of building the new Wellington street bridge. I was also informed that Mr. Parent was in Ottawa, and I had a telegram sent to him to remain in Ottawa and that I would go up immediately. The Hon. Mr. Curran went up with me. The following morning we met Mr. Trudeau and Mr. Parent. I stated to these gentlemen that taking the water out of the canal would throw a large number of people out of employment, and cause great loss to the manufacturers. I begged of them to leave the water in the canal as long as possible, and also to have the excavation and stone work done by the government under the supervision of their resident engineer and superintendent, in order that no delay might occur. This Mr. Trudeau agreed to. St. Gabriel basins no. 1 and no. 2 were built in this manner, and I believe were quite satisfactory. The first intimation I received that this was not being done was in February last. While passing the Wellington bridge, Mr. St. Louis said to me: "I am doing all this work," pointing to the stone work going on around the bridge. The first intimation I received that there was trouble on the works was in March last, when I met Mr. Patrick Kennedy on St. Patrick's street. There he told me that Edward Kennedy, superintendent, had received instructions from Mr. Parent to put the men on to Mr. St. Louis' pay-list at a higher rate than they were receiving. I answered him, that he must not do so, and go to Ottawa if necessary. I was not then aware of any contract for labour, and did not know it for at least two months afterwards. I noticed in the papers that this commission has asked, if I had received any broken stones from the canal. I always keep a pile of broken stone on the canal bank ready for any break; the superintendent of the canal does the same. When the case is urgent, he borrows from me and I borrow from him. Last spring there was a leak in the guard wall of the canal on no. 2 basin opposite my property. This wall is government work, but in a very bad condition. The government have had in contemplation the rebuilding of this wall for some years, but the government not doing so, and finding a part of the wall opposite my property in a dangerous condition I repaired it by concreting the banks of the wall at a cost of about \$600. During the work my broken stone gave out, and I borrowed some from the superintendent of the Lachine canal, which I returned early in May, and which is now on the bank of the canal. I am satisfied that the government have borrowed more stone from me than I ever borrowed from them.

I notice that Mr. Vanier asked a question if I had ever received stone for making streets or roads. I never have. The corporation and the government own the streets surrounding my mill. I think also Mr. Vanier asked, if I had ever had the water lowered in the canal. To this I have to say, that I am a tenant of the government; I am the largest proprietor on the canal, owning three mills and two factories. So far as I can recollect, during the past thirty years, I have asked to have the water lowered in the canal four or five times, in order to do repairs. This was

asked for on Sunday in all cases except one, where no one was inconvenienced, and at no cost to the government. When I asked to have it lowered, other than on Sunday, was the day after the water was let into the canal this spring. There was a leak in the new wall made by the corporation across Seigneurs street. This leak made its appearance the next morning. I realized that the corporation had not gone down low enough with this wall. I immediately asked that the water be lowered. I dug down and concreted the front of this, although it was corporation work. I am now ready to answer any questions the gentlemen of the commission may put to me.

By Mr. McLeod:

Q. We called you to ask about the board of trade. The board of trade asked that the mills should be left open as long as possible, did they not?—A. I think not, not the board of trade—the manufacturers on the Lachine canal.

Q. Can you give the names of these?—A. It came about in this way: Mr. Parent was repeatedly speaking of the first of December. After we had returned from Ottawa, he came to my office again and spoke about the first of December. I told him that it was a most serious thing, and I believed totally unnecessary; that it would do a very great injury to the manufacturers on the canal, and throw probably 5,000 families out of employment. He there said that he would like to meet these manufacturers. I said: Very well, we will meet to-morrow at three o'clock. Will that do? He said, yes. I then issued notices to nearly all the manufacturers on the Lachine canal. I think 90 per cent of them were present, and it was these people who urged upon Mr. Parent the necessity of leaving the water in the canal as long as possible. I think the matter never came up before the board of trade.

Q. The board of trade had nothing to do with it?—A. I think not.

Q. Were there other merchants in Montreal who made a similar application—people in business?—A. I think it was altogether the manufacturers. I do not think the merchants were consulted in the matter.

Q. You said that former repairs of approximately the same extent were done in the same way, by letting the water out for a short time only?—A. No, sir, what I said was that no. 1 and no. 2 St. Gabriel basins were constructed under the supervision of the engineer and superintendent of the Lachine canal. I stated that that was one of the reasons why I had no hesitation in asking the government to have these built in the same way.

Q. At what season was that built, do you remember?—A. Those two St. Gabriel basins were built largely in the summer during the season of navigation. Mr. Sippell and Mr. Conway were then in charge. It was done at the urgent request of the corn exchange and the merchants of Montreal, there being then a too limited accommodation in the canal shed to accommodate the trade. It was under the administration of Sir Hector Langevin. The government was urged to have this work pushed on as fast as possible, and it was done under the engineer and superintendent of the Lachine canal, then Mr. Sippell and Mr. Conway.

By Mr. Douglas:

Q. What is the difference between taking the water out in December and taking it out in January, March and April?—A. There is a great deal of difference. The people had no warning; they had no stock ahead in March and April. If they had warning they could start to work to get up a stock to pass over those two months and fill their contract.

Q. If you had had three months notice that the government were to undertake the work it would not have made any difference?—A. There is another thing which you will understand, as an engineer, the taking of the water out of the canal in the severe winter months is a very dangerous thing. The frost gets in everywhere and heaves out the planks of the canal flumes and everything else. The months of March and April are not severe, and men can do more work at less risk of injury to the canal in March and April than in previous months.

Q. Did you ever ask the government or show the danger of doing the work without taking the water out of the canal?—A. No, I did not. The only conversation I had with the government was in that short interview with Mr. Trudeau.

Q. Mr. Parent, in his testimony, states that you and Mr. Curran especially named Mr. Kennedy as overseer?—A. I noticed that. Do you think that I would be so undiplomatic as to ask that any subordinate should be placed over his superior officer? The fact is that my words to Mr. Trudeau were spoken deliberately. I spoke of the officials, mentioning the engineer first and then the superintendent. I would not even mention names. Mr. Parent was present during the whole time.

Q. Now, with regard to your conversation with Mr. Kennedy, was it Patrick Kennedy or Edward Kennedy?—A. Mr. Patrick Kennedy, the father of the superintendent, whom I met on the street.

Q. And he stated that his son objected to putting the names on Mr. St. Louis pay list?—A. No; that he had got instructions from Mr. Parent to put the men on Mr. St. Louis' pay list at a higher rate than the men were receiving.

Q. Was not that after the contract with Mr. St. Louis?—A. I there stated that I knew nothing of a labour contract, and did not know it until the month of May. I was perfectly astonished when I heard in the month of May that there had been a contract for labour.

Q. Was this concrete that you speak of, put in between the revetment wall and the front wall of your mill?—A. It was put immediately back of your retaining wall. As you well know, that wall has not been pointed, I would safely say, for 30 years. It leaks like a basket. At your waste weir the water came in at one time and washed out the corner of my mill. For the last nine or ten years Mr. Trudeau has been speaking about rebuilding that wall. We had a conversation about it, and he recommended that it should be done in sections, and in the month of March and April. The water being out this year, gave us a most opportune time. The Government not moving in the matter, I was not going to allow the month of April to pass by without excavating immediately back of your wall, brushing your wall out, and then I went four feet below your wall. But as you know, you have dredged out here nearly four feet. I did not know but that the water was running out into your wall through the corner of my building. So I went down below your excavation, started in concrete about two feet at the bottom and one foot at the top, and I backed up your wall with a solid piece of concrete.

Q. Then that work you would suppose would naturally belong to the government.—A. I would.

Q. You supplied the cement and the labour, and the government supplied the stone?—A. I supplied more than one half of the stone. I did it altogether as my own work. I think if I had had time I should have gone to Ottawa—but I am a busy man—and told the government that this was an opportune time to do this work. I might telephone, it saves time, but we probably would lose more money by trying to get the work done. We were just in the month of May, it was beginning to thaw out, and I dug down six feet in solid frost, and there I made a perfect work. There is no water coming through there now except on the other side of your waste weir. It is still coming through there like a basket, and if it was not for the solid concrete at the corner of my building it would be still worse. But it runs out and runs back into your weir, which is not a satisfactory piece of work.

By Mr. McLeod:

Q. What is the length of that piece of concrete?—A. About 120 feet, the width of two lots, less the flume.

By Mr. Vanier:

Q. You are acquainted with Mr. Edward Kennedy?—A. I am.

Q. For a long time?—A. Three or four years.

Q. Do you think he was competent man to be overseer over such extensive works as were made last winter?—A. That is an engineering question. If you will

ask another question about his ability as superintendent, one that I am able to answer, then I could answer your question.

Q. I am not speaking of him as a superintendent for general work to be done on the canal in the form of repairs, but I mean for extensive works of this kind?—A. My opinion was that the excavation and the stone work could be well done by Mr. Parent and Mr. Kennedy.

Q. If they had worked together?—A. Well, I did not know, and I do not now, except what I read in the papers, that they were not working together.

Q. Would you think that Mr. Kennedy alone would be able to conduct such extensive works?—A. Oh, no. Mark you, I recollect a remark of Mr. Trudeau's that he would send down an engineer from Ottawa to work with Mr. Parent, and I thought these three men would be able to do the work.

Q. Do you know that one was sent from Ottawa, and replaced, after 24 hours notice, by another one who did not know anything about his work?—A. No; I was never on the works during construction.

Q. There has been a kind of persistent rumour around these works that you had specially recommended Mr. Kennedy to be the overseer of these works, to be almost the sole man in charge?—A. As I have just stated, I never mentioned Mr. Kennedy's name or Mr. Parent's. My words were: Your engineer and superintendent. That is what I stated in this written statement. I now file this statement with the commission. I recollect distinctly what transpired.

By Mr. Atwater:

Q. You know that these works in connection with the bridges were done at a very trying season of the year, do you not?—A. Yes.

Q. During a most severe part of the winter?—A. Yes; I recollect that there were very heavy frosts after they commenced work.

Q. And this made the work harder to do accordingly?—A. Certainly.

Q. Do you know whether your request that the work should not be begun in December, was agreed to by the other mill-owners as well as yourself?—A. I think 90 per cent of the mill-owners on the canal were present at the meeting; I should say 95 per cent. The meeting was held in my office.

Q. About what time?—A. Well, I should say in November.

Q. And at that meeting you decided to request the government not to let the water out of the canal in December?—A. No; it was to Mr. Parent. This meeting did not communicate with the government directly, but with Mr. Parent.

Q. What was the sense of that meeting?—A. The sense of that meeting was to keep the water in the canal as long as possible, to the first day of March, if possible.

Q. To avoid closing the mill?—A. Exactly.

Q. How many employees should you say, roughly speaking, would the closing of the mills about the 1st of December, have thrown out of employment?—A. Directly and indirectly, it has been estimated several times at about 5,000.

Q. That is, it would throw about 5,000 men out of work for that long time?—A. Yes.

Q. What would have been the consequence, in your experience and knowledge of the business on the canal, to the country generally, if the canal had not been ready for navigation by the 1st of May?—A. It would have been most disastrous.

Q. What would have been the loss, do you think, per day, if the bridge had not been ready?—A. We cannot estimate it. There are the ships in the harbour and the boats coming up and down. All you can say about it is that it would be most serious. It would have caused a terrible loss and inconvenience.

Q. It was in the interest of the country, you think, that the works should have been begun at the latest possible moment and finished at the earliest?—A. Certainly.

Q. You would not like to put any figure upon the amount of loss per day?—A. No; it would depend upon the ships in port, and the barges, and could not be estimated.

By Mr. Douglas :

Q. That depends on the opening of navigation, when the first ocean vessel arrives?—A. Exactly. The first of May generally brings navigation.

By Mr. Atwater :

Q. Did you notice at all how the men were working at that bridge?—A. No, sir, I never crossed the Wellington bridge. I do not think I have been four times across the Wellington bridge for five years.

Q. Did the board of trade join in any representation to the government in reference to this bridge?—A. I think not.

By Mr. Archibald :

Q. You have known Mr. Kennedy, the superintendent, since his appointment as superintendent?—A. Yes.

Q. You have been a long time connected with the canal and using it, have you not?—A. Nearly forty years.

Q. And have experience as to the manner in which the canal has been managed throughout?—A. Yes.

Q. What would you say in a general way as to the manner in which the canal has been managed by Mr. Kennedy since his appointment?—A. I think I can recollect Mr. Bissette, Mr. Conway and Mr. Kennedy, and I have no hesitation in saying that Mr. Kennedy is by far the best man we have had in 40 years.

By Mr. Parent :

Q. Did you not go up to Ottawa sometime in November with Mr. Curran?—A. We went up on the 18th October.

Q. And you were with Mr. Curran?—A. We went up together.

Q. And we met Mr. Trudeau, did we not?—A. Yes with you and Mr. Trudeau.

Q. Did you not jointly speak of the different things that took place afterwards on the canal, keeping back the water, for instance, and the nomination of Mr. Kennedy as overseer? You were present?—A. I was present and you were present. I recollect distinctly. We asked that the work be done under the engineer and the superintendent of the Lachine canal, without mentioning names.

Q. Did you not hear Mr. Curran say in your presence: We insist on Mr. Kennedy being appointed overseer of that work—not that I see any fault in that at all, but is not that the fact?—A. I see a very great fault. I think it would be a very great mistake for anybody to say so. It would be very unjust to you, Mr. Parent.

Q. Don't you remember those were the words that Mr. Curran used?—A. No, I cannot recollect any such words. If they had been used, I think I would have considered them very serious.

By Mr. Vanier :

Q. What is your experience with Mr. Parent as superintending engineer of the canal?—A. I have had very little to do with Mr. Parent, but our interviews have always been of the most satisfactory nature.

Q. You never had any reason to complain?—A. Never.

By Mr. Parent :

Q. Another question relative to that episode. Supposing that Mr. Curran had said those words in your presence, would I not have been justified in inferring therefrom that you joined him in the petition; that since he spoke in your presence, you were one of the party who were asking that Mr. Kennedy be appointed—always supposing that Mr. Curran really used those words?—A. Well, of course, it would not

be right for me to contradict Mr. Curran. I have no recollection of his saying so. I was trying to recollect the first time that Mr. Kennedy's name was mentioned, and to the best of my knowledge the first time his name was mentioned, it was by Mr. Trudeau.

By Mr. McLeod:

Q. You thought the staff of the canal was quite sufficient to manage and carry out those works?—A. Quite; I am positive of it yet.

Q. You saw no reason why anybody else should be taken on?—A. I saw no reason why there should be any contracts for labour or material or anything in that shape; I thought that an engineer from Ottawa and Mr. Parent and Mr. Kennedy—I am naming them now for the first time, because I have called them the engineer and superintendent—I thought that under these gentlemen that work could have been as well carried out as the building of no. 1 and no. 2 basins at St. Gabriel.

Q. You do not think Mr. Kennedy could have been over-worked, so that he could not attend to the whole of it?—A. Oh, no, he is a very vigorous, strong man.

Q. Was there any scarcity of labour at that time, when the work began?—A. Oh, dear, no, no scarcity of labour. It was a God-send to the city.

Q. There were plenty of masons, stonecutters and labourers generally?—A. As to the stonecutters, that is a question I could not answer; but it looks to me that we could get all the labourers we wanted. At that time of the year I am a large employer of labour.

Q. What were the wages for good labourers about that time?—A. From \$1 to \$1.15, perhaps \$1.25.

Q. Plenty of good men at that rate?—A. I should say so.

By Mr. Atwater:

Q. Can you always be sure in advance of being able to obtain labour at that season of the year?—A. I think so. Up to the 1st of April you can always depend on all the labour you want. It is sometimes a little different if the water is out of the canal.

Q. Might it not have been a little bit risky to have relied on getting enough labour for this work during April, without some provision being made to get the labour?—A. I think not. I think it was running no risk then.

Q. Were there not a good many public works going on at that time, or contemplated?—A. They were smaller than in former years.

Q. But in December were there not a good many public works and city work contemplated to be undertaken early in the spring?—A. Not to my knowledge.

Q. You are not aware of any?—I am not.

Q. Does your price for labour refer to the prices in March or in April, or any particular period, or does it apply to all the time?—A. It would apply to February, March and April.

Q. You think the rate would not be higher in April?—A. No. I pay \$1.10 for labourers, winter and summer.

Q. You mean ordinary labourers?—A. Ordinary labourers.

Q. What do you pay skilled labourers?—A. I pay my carpenters \$2 a day, the year round, and good millwrights on short jobs \$2.50 for a day of 10 hours—and I am supposed to pay the highest wages that are going.

Q. Do you pay any more for over-time?—A. I have refused to pay for over-time. The men can work over-time, if they wish, at the same rate as day work, I have had men leave because I would not pay them extra. I do not do it.

Q. Where the work was of absolute necessity, would you consider that pay for over-time was justifiable?—A. Yes, they often do it. By over-time I mean where a man works his 10 hours and then works 4 or 5 hours after that. After the 10 hours, it is extra.

Q. Would you consider it over-time if a man did not work during the day, but came on and worked at night?—A. No, I paid those men the same as I did in the day time.

Q. How do you pay Sunday labour?—A. That is not a nice question. We are supposed to be Christians.

Q. In this case in order to finish the work they had to work on Sunday, it was a work of necessity?—A. I am never called upon to pay it, but there are millwrights who ask a dollar and a half for Sunday.

By Mr. Emard:

Q. Have you a different staff of men to work at night?—A. Yes.

Q. And they take turns with the day men?—A. They change at six o'clock at night.

Q. But do those who work at night, work at night all the year round, or do they change alternately with another gang?—A. The shift is from 12 at noon until 12 at midnight, that is the millers.

Q. Do you pay them equally?—A. Yes. Those who work from six in the morning till six at night, and those who work from six at night to six in the morning are paid equally.

By Mr. Vanier:

Q. You get less work from labourers at night than in the day time?—A. Yes, you cannot expect otherwise.

Q. The extra is in the quantity of work done?—A. Exactly. You are doing so much more by working all night.

Q. As a matter of fact, night work costs the proprietor more?—A. Yes, considered among employers as a loss.

By Mr. Emard:

Q. In a previous answer you referred to labourers on the canal. Do you refer to government labourers?—A. Men using a pick and shovel are what we are speaking of.

Q. You are speaking of labourers' work on the canal?—A. For instance, I had a work of a very great magnitude a year ago where I worked for three weeks, night and day, Sunday and Saturday, without stopping. It was such a work as would compare with the Wellington and Grand Trunk bridges.

Q. Did they also change alternately? I mean changing about every week or two weeks?—A. Those that worked at night, worked right through until morning.

Q. And they were paid the same rate as in the day time?—A. Yes.

Q. Sundays also?—A. Sundays they were paid the same.

By Mr. Douglas:

Q. Allow me to ask about that break at the woollen mill. Do you think that was economically handled? It has cost about \$15,000?—A. Well, it was a very ugly break. That break should have been repaired a year ago. It was running there all summer. You may know the terrible excavation. I had a building nearly carried away with it. It was in terrible weather, in the month of January, and it appeared to be coffer damming upon coffer damming. It was the worst job I ever experienced. That I saw nearly every day, because we were shut down for two weeks in consequence of that.

Q. How is that consistent with good management?—A. I will tell you. The government knew nothing about the break being there until a year ago; but I am informed that the proprietor or his employees knew there was a break there a year ago that should have been repaired, and so it would have been if that man had kept a pile of stones, a pile of sand and 30 barrels of cement, as I keep all the time. That could have been repaired any Sunday.

And further deponent saith not.

S. A. ABBOTT, *Stenographer.*

Mr. LESAGE was called and sworn.

By Mr. Douglas:

Q. Look at that bill of timber and see whether you have a copy of it in your office. That is the bill of timber on which Mr. Kennedy asked for tenders. Have you a copy of instructions to Mr. Kennedy to issue that bill?—A. Mr. Lesage promised to look for the copy.

Q. Before the letter to Mr. Kennedy, was there any special letter about this bridge?—A. The witness read letter of 13th December, 1892, from Mr. Schreiber, chief engineer, to Mr. Parent, filed as exhibit E. 1.

Q. On that letter did you receive tenders for this lumber?—A. Yes.

Q. Who made out exhibit C. 16?—A. Young Mr. Trudeau, one of the clerks of this office, made that out. In fact he had the making out of all the abstracts in connection with tenders. On getting this letter, the following instructions, dated 16th of December, 1892, and signed by E. H. Parent, filed as exhibit E. 2, were sent to Mr. Kennedy and all the other superintendents.

Q. Have you got any more correspondence?—A. I have this letter from Mr. Parent to Mr. Kennedy, of the 16th December, 1892, a copy of which will be filed as exhibit E. 3. There is also a letter, exhibit E. 4, from Mr. Parent to T. J. Desbarats, dated 21st of January, 1892. I have a letter from Mr. Kennedy to Parent, to be filed as exhibit E. 5, dated 7th January, 1893; also letter from Mr. Schreiber to Mr. Parent, of 18th January, 1893, to be filed as exhibit E. 6; also from Mr. Schreiber to Mr. Parent, referred to in exhibit E. 6, and to be filed as exhibit E. 7. Exhibit E. 7 contains two letters, both of the 18th of January, 1893, from Mr. Schreiber to Mr. Parent.

The commission took recess at 1 p.m.

E. J. DUGGAN, *Stenographer.*

Afternoon Session (June 13).

Mr. ATWATER.—Complaints have been made in the press that the men employed by the government on this work during the month of April have not received their pay. I have been informed at the office here that the pay-lists for April only came into the department on the 2nd day of June. I asked leave to call the proper official of the department to prove that the government was not to blame for any delay in paying the men for their April work.

Mr. ARCHIBALD.—I support the suggestion.

Mr. McLEOD.—We will take any evidence you have to offer on the matter.

L. A. LESAGE, Secretary and Accountant of the Office of Railways and Canals, Montreal, was re-called.

By Mr. Atwater:

Q. In your position, do you receive the pay sheets of the workmen from month to month?—A. The pay sheets and accounts are rendered to me by the superintending engineer, Mr. Parent; I transmit them to Ottawa, and the authorities at Ottawa send down the cheques for the payment of the men.

Q. They are made up every month?—A. Yes.

Q. How soon after the close of the month do the pay sheets come in?—A. They are sent in by the superintendent generally on the 25th or 27th of each month, and we get them certified and they are sent back about the first of the following month.

Q. The pay sheets for May would come in about the 1st or 2nd of June?—A. Yes.

Q. And the pay sheets for April about the 1st or 2nd of May, in the usual course?—A. Yes.

Q. At what period did the pay sheets for April, for the break, come in to you?—A. The pay lists for the break came in on June 3rd.

Q. What did they amount to?—A. The wages amounted to \$5,544.40.

Q. And that pay list only came into you on the 2nd day of June?—A. On the 2nd or on the morning of the 3rd of June of this present month.

Q. That is only ten days ago?—A. Yes.

Q. You certified that pay-list?—A. That pay-list was certified to by Mr. Kennedy, and afterwards by the superintending engineer himself.

Q. It comes to you directly from the superintending engineer?—A. Directly from him.

Q. How long did it take you to send them to Ottawa?—A. I sent them on the evening of the same day they were received.

Q. And in ordinary course when do you get the cheques paid?—A. We generally get them in seven or eight or nine days. We generally pay about the 15th. The pay list comes in in duplicate.

By Mr. Douglas :

Q. Is there time enough left to the time keeper to make up the list on the 3rd of May?—A. That large pay-list could not have been made up in two days. There are 284 names, and it would take about three days to make it accurately. I am referring to the April pay-list.

Q. The department has used all possible diligence to get these men paid since you have had the account?—A. Yes.

They came to you directly from Mr. Parent?—A. They came directly from the superintending engineer.

By Mr. Archibald :

Q. That pay-list was signed by Mr. Kennedy?—A. Yes.

Q. Do you know on what date he was suspended?—A. He was suspended on the 13th of May.

Q. It must have been signed by him before his suspension?—A. No, he signed lots of documents after the 13th of May. He was obliged to do so on account of this expenditure having been incurred during his administration. He is responsible for those pay-sheets.

Q. What officer makes up the pay-sheet?—A. The time-keeper, Mr. Baillargé. It was he who made the pay-lists in this case.

Q. After the 13th May, Mr. Baillargé was not under the control of Mr. Kennedy?—A. No.

By Mr. Douglas :

Q. Who sent that pay-list to Mr. Kennedy to sign?—A. It was sent from this office.

Q. When did it come into this office?—A. On the 3rd June. It came in signed by Mr. Kennedy.

By Mr. Atwater :

Q. Whose duty was it to make it up?—A. Of the time-keeper, Mr. Baillargé. Q. He should have made up that pay-sheet and then he should have got Mr. Kennedy's signature?—A. Then he should have got it audited by Mr. Baillargé.

Q. The first the department knew of it was when it was brought here on the morning of the 3rd of June?—A. We received it for the first time on the 2nd June.

By Mr. Douglas:

Q. What did the time-keeper do with it; Did he leave it at Mr. Kennedy's house?—A. I do not know, I cannot answer for the time-keeper. We received the pay-list on the 3rd June. It came into this office first to be checked, and we gave it back to the time-keeper and asked him to get it properly certified, and we got it back again on the 2nd June.

Q. It came into this office first, and you sent it to Mr. Kennedy to be signed?—A.—Yes.

By Mr. Archibald:

Q. Was it signed by Mr. Kennedy when it came in to be checked?—A. No.

And further deponent saith not.

S. A. ABBOTT, *Stenographer.*

L. A. LESAGE again appeared and desired to make a correction in his evidence as follows:—

Mr. Marceau, the acting superintendent engineer, wrote to Mr. Kennedy on the 26th May, asking for the pay list to be sent in that very day, because he did not want any delay to occur. (Witness reads a letter from Mr. Marceau.)

Mr. ARCHIBALD.—On behalf of Mr. Kennedy, I simply state this: that Mr. Kennedy, after his suspension on the 13th May, conceived he had no right, as I believe he had no right, to sign any document whatever respecting the canal, and he declined to sign it until he received such instructions from persons having authority in the department to give them, saying that he was to sign for that month.

The commission adjourned till to-morrow.

S. A. ABBOTT, *Stenographer.*

MONTREAL, 21st June, 1893.

The commission met at 10 o'clock a.m.

Present—Messrs. McLEOD, DOUGLAS and VANIER.

L. A. LESAGE, previously sworn, re-called and deposed as follows:—

By Mr. Atwater :

Q. Were tenders asked for by the department for the contract labour on the bridges and the masonry of lock no. 1?—A. Yes, and there were four tenders received at this office.

Q. Who were they from?—A. From Turner & Co., Emanuel St. Louis, Trottier, and J. D. Rose.

Q. Which was the lowest of these tenders?—A. The lowest was Mr. St. Louis. I have here a copy of an abstract of these different tenders, which shows that the tender of Mr. Turner for the Wellington bridge was as follows: 45 cents an hour for day work, for foremen, and 65 cents for overtime. For stonecutters, 35 cents an hour, and 50 cents overtime. Stonecutters and masons, 35 cents an hour, and 50 cents overtime. For skilled labour, 20 cents an hour; for double teams, 50 cents an hour; for single teams, no quotation. For lock no. 1: Foremen, 40 cents and 65 cents; stonecutters, 32½ and 47½ cents; stonecutters and masons, 32½ cents and 45 cents; skilled labour, 20 cents; double teams, 50 cents; no quotation for single teams. Mr. Rose's tender for the Wellington bridge was as follows: For foremen, 48 cents, and 72 cents for overtime; for stonecutters, 39 cents and 55 cents; stonecutters and masons, 38 cents and 54 cents; skilled labour, 21 and 25 cents; no quotations for the others. No quotations for lock no. 1. Mr. Trottier's tender for Wellington bridge was as follows:—For foremen, 45 and 70 cents; stonecutters, 32 and 50 cents; stonecutters and masons, 35 and 49 cents; skilled labour, 20 and 22 cents; no quotations for the others. In all cases the tenders for Sunday labour was for double charge, about twice.

Q. So Mr. St. Louis' tender was considerably lower than the others?—A. It was.

Q. And is this skilled labour that is tendered for there at the rate of 18½ cents an hour for day work?—A. It is skilled labour.

Q. That is a different thing from ordinary labour?—A. It is; ordinary labour was returned at \$1.50, or 15 cents an hour; that is, a good pick and shovel labourer.

By Mr. Archibald :

Q. How did you happen to call for tenders for the labour?—A. What do you mean by that question?

Q. Why did your office invite tenders for the supply of labour?—A. It was the order; it was in conformity with instructions received from the department.

Q. Will you produce the letter of instruction?—A. I do not know; at any rate it was called for.

Q. I want to know whether you are in possession of any instructions from the department of railways and canals directing you to call for tenders for the supply of labour for the bridges in question, and, if so, to produce those instructions?—A. I do not think we have a letter.

Q. I want you to search and see?—A. I search, but I do not believe there is an order.

Mr. DOUGLAS.—I do not know whether there is any instruction calling for labour.

Mr. ARCHIBALD.—It is an unusual thing to call for tenders for labour, and in this instance I presume that course was adopted upon somebody else's instructions.

Mr. DOUGLAS.—Let the witness go and hunt them up and come back again.

By Mr. Vanier :

Q. Do you consider those prices fair for labour in Montreal?—A. I am not a judge in the matter.

Q. From your experience in the office here?—A. They do not appear extravagant.

Q. Is that your own opinion?—A. That is my own opinion; of course, I am no judge in the matter.

By Mr. Atwater :

Q. I see that double teams are charged for here at the rate of 50 cents for night labour. What do you say about that; is overtime the same thing as night labour?—A. We always understood that overtime and night labour were the same thing, and we always paid the same rate.

Q. Now, when the department employed their own men, what had they been charged for night labour?—A. In the case of teams I do not know what they have paid, but in the case of labour at night it has been customary to pay the men double time.

Q. That is, you paid double time for night labour?—A. It has been customary for labourers working for the department to charge double at night for what they got during the day, that is, they get double time. Supposing a man worked five hours in the night, we give him ten hours.

Q. These contract prices are one-half more for night work?—A. Yes.

By Mr. Eward :

Q. Mr. St. Louis' prices for night work do not amount to double the price for day work?—A. No; they do not. They are about one-third more. In the case of foremen, it is one-third more. For stonecutters, I see he charges 32 cents for day's work, and 46 cents for night, there is a difference of one-third again. About one-third again for stonecutters and masons. Skilled labour is eight or ten per cent more for night work.

Q. So that his prices are considerably less than what the government or any corporation are paying for night time?—A. So it appears by the tender.

Q. Now, is it not to your knowledge that Mr. St. Louis has had to pay for some of those men more than he actually received from the government?—A. Yes; I believe in at least one case that came under my personal observation, in the case of a foreman, he paid one dollar more than he got from the government; I mean one dollar a day more.

Q. Was there not more than one case?—That is all I remember just now.

Q. What is the name of that foreman?—A. I do not remember.

Q. Now, about the stonecutters on the last pay-list, do you remember any price given by Mr. St. Louis? Did you not notice that he was paying very nearly as much as he got from the government?—A. Yes; I remember that. I could give more detailed information from the pay-list.

By Mr. McLeod :

Q. Did you pay those night prices for a month or two months?—A. No; not for any continuous work. We were not before in a position to pay double time on that scale. We paid double time for men in case of an accident, the lock gates

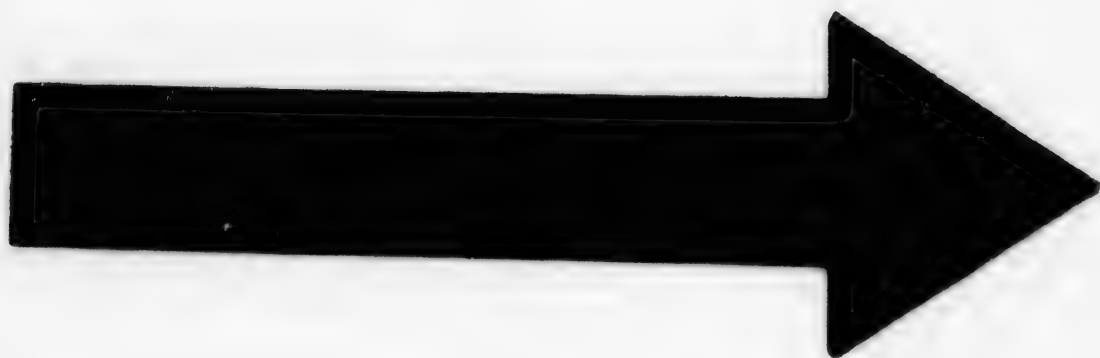
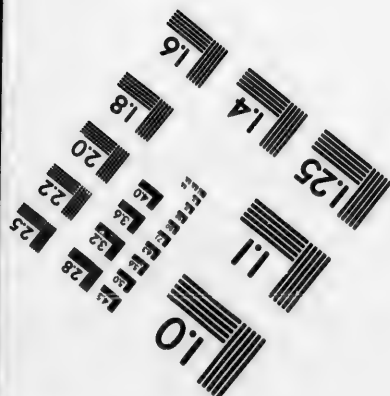
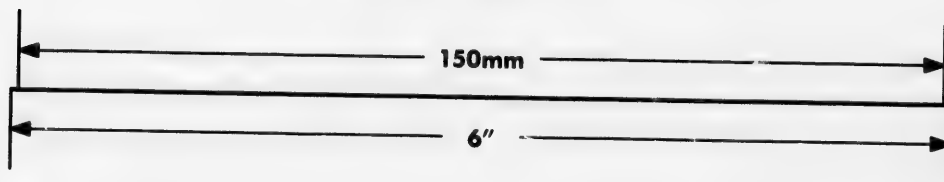
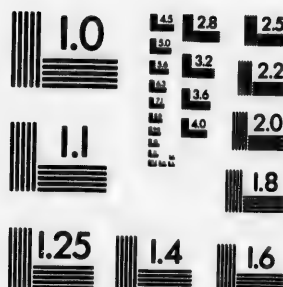
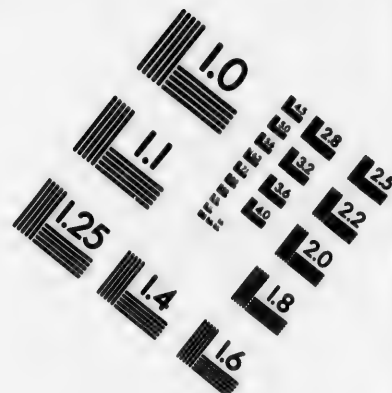
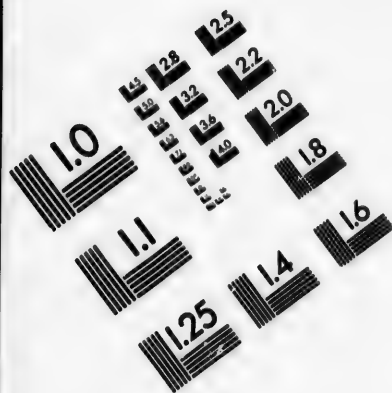


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being carried away for instance; then when the men were working at night and in a special case, we paid double time.

By Mr. Douglas :

Q. You did not pay double time, but you paid double hours.—A. Double hours at the regular rate.

And further deponent saith not.

S. A. ABBOTT, *Stenographer.*

MR. LESAGE, examination resumed.

By Mr. Atwater :

Q. You were asked this morning with regard to instructions being received as to calling for tenders for the labour on the bridge. Can you find any such written instructions?—A. I have searched and find no written instructions.

Q. To whom would these instructions be given?—A. Likely to Mr. Parent, the superintending engineer.

Q. Who sent out the letters or specification asking for tenders?—A. According to the letters of record here in the office, tenders were asked for this labour by Mr. Kennedy, and some also by Mr. Parent.

Q. Is this letter, dated 20th of December, 1892, from Mr. Kennedy to Mr. Parent, the only letter you have?—A. Yes.

Q. Is this the letter you refer to?—A. Yes.

By Mr. Douglas :

Q. Where were the various tenders opened?—A. Some were opened by the superintendent and some by Mr. Parent. The tenders for the labour were opened by Mr. Parent.

Q. Were there any tenders for lumber supplies?—A. No; I do not believe they were received in this office.

Q. Was there any date when tenders were ordered to come in here to this office unopened—tenders which the superintendent called for?—A. There were instructions to send tenders to this office.

Q. Sealed tenders or opened tenders?—A. The tenders received at this office for the labour were the only tenders that I know of. The tenders for hardware also were opened in this office.

Q. Make out a list of tenders opened in this office and sent to this office, sealed or sent to Ottawa, and a list of those opened by Mr. Kennedy. Had Mr. Kennedy instructions to call for tenders, open them and send them outside of this office?—A. I would like to consult the books before giving an answer.

By Mr. Atwater :

Q. Such instructions would be in writing?—A. Yes.

Q. You had tenders from Messrs. Trottier and Rose?—A. Yes.

Q. Who sent out the invitation to them for tender?—A. Mr. Parent. There was a circular sent to these parties. There were only two tenders received at the office for the labor.

Q. Which were they?—A. W. J. Turner & Co., and E. St. Louis.

Q. He mentions in this letter just read, Cousineau's and Lyall's?—A. I have not seen them.

- Q. That letter was sent to Mr. Parent and received by him?—A. Yes.
 Q. He would be the first to open it?—A. Yes.
 Q. In the ordinary course of office business it would be passed to you?—A. Yes.
 Q. So that you would only see it after it reached Mr. Parent?—A. Yes.

By Mr. Vanier :

Q. Who prepared that list of contractors there from whom tenders were to be asked for the labour?—A. In the first instance the list was prepared by Mr. Kennedy. He asked for tenders, according to his letter here produced, from the gentleman mentioned in that letter—Lyall, St. Louis Cousineau.

Q. And you added other names afterwards?—A. Mr. Parent did.

By Mr. Archibald :

Q. By the letter of the 20th of December, now produced, I find that Mr. Kennedy informs you that he sends tenders for stone cutters and masons for the new Wellington bridge, and renewal of lot No. 1?—A. Yes.

Q. Do you know of Mr. Kennedy calling for tenders for any other labour except stonemasons and stonecutter?—A. It must be detailed in the letter.

Q. Have you any information beyond the letter?—A. No.

Q. So far as you judge from the document now produced, Mr. Kennedy's request for tenders was for stonecutters and masons?—A. Yes.

Q. Please look at the following clause of Mr. Kennedy's letter of the 20th of December: "I must call your attention to the fact that these invitations were issued previous to my receiving your letter together with copy of the Deputy Minister's instructions re tenders for supply." Tell me what letter was referred to by these words?—A. This letter E 1 is the letter referred to, I presume, but he does not give the date.

Q. With regard to the contract for lumber, are you aware that Mr. Henderson's tender was submitted to the department at Ottawa, and a contract awarded him for the lumber upon that tender?—A. I know that the original tenders were not received here at office. I believe an abstract was sent in by Mr. Kennedy.

By Mr. Douglas :

Q. Is this the abstract, exhibit C 16?—A. Mr. Trudeau made that abstract and could give you more information.

Q. Who is Mr. Trudeau?—A. He is clerk in this office.

Q. I ask you whether that tender went to Ottawa, and was confirmed by the department at Ottawa?—A. That abstract was approved by the minister and the chief engineer.

Q. And the contract awarded to Mr. Henderson?—A. Yes.

By Mr. Atwater :

Q. Do you know whether the tenders for this lumber went to Ottawa, or merely the abstract?—A. I am under the impression it was the abstract alone.

Q. Did this office here ever see the tenders for the lumber?—A. I do not remember having seen them.

Q. As secretary, would it be your duty to see them?—A. Naturally. They may have come to the office, but I have not seen them.

Q. This copy is in Mr. Trudeau's writing?—A. Yes, he was clerk, and was making all the abstracts in connection with the different tenders called for.

By Mr. Archibald :

Q. How could he make the abstract without the tender?—A. He will tell you that. Mr. Baillargé made this morning a statement to the effect that he came to our office and spoke about some time being changed from one appropriation to the

other, and he said that he spoke to me about it and that I wanted him to take notes. I want to correct that statement. I remember his coming into the office one day and speaking about being asked to transfer time from one sheet to the other. I told him that, as time-keeper, he was strictly responsible for his time-book, and not to change it, and that if he signed pay-sheets which he knew not to be correct, he would be held responsible. That is all I said to Mr. Baillairgé. I did not put him on his guard for future reference or to use that in the future, I told him he was responsible for his time-books and not to alter them, and that if he signed the pay-lists afterwards, he would do so knowingly and would be responsible. Therefore if he signed pay-lists which were not correct, he would be responsible.

Q. He said you told him to take notes and look out?—A. If he said that I told him to take notes and be on the look out, he made a mistake.

Mr. ARCHIBALD.—Several witnesses have given evidence concerning the time-sheets and time-books, and books containing descriptions of the materials, which books were left in the wharfinger's office by them. These books are not produced. I have asked for them repeatedly and they have not been produced. They are books of the highest importance to the prosecution of the inquiry. I would like to find out where those books are gone, and I would suggest that the commission ought to call for all persons that may be supposed to know something about that and ascertain, if possible, what has become of these books.

Mr. ATWATER.—As Mr. Kennedy was superintendent, these books were all in his possession and under his control, and we cannot find them now.

Mr. ARCHIBALD.—They were in the wharfinger's office where the witness swore they were left.

Mr. DOUGLAS.—Not all of them. The last witness swore he left them with Mr. Speers.

Mr. ARCHIBALD.—That is the same thing.

Mr. ATWATER.—Not at all.

Mr. ARCHIBALD.—You will find that out.

Mr. DOUGLAS.—He cannot find that out. I tried, before the commission was appointed at all, to find them and could not. The superintendent of the canal has been trying to get them for the last three weeks and cannot.

E. J. DUGGAN, *Stenographer.*

Mr. LESAGE, re-examined.

I produce the letter called for of 9th of December, 1892, from Mr. Parent to Henderson Brothers, as follows:—

"Sir,—I am by direction to inform you that your tender for timber and lumber has been excepted by the minister of railways and canals."

By Mr. Archibald:

Q. Did you see the signature or the initials of the chief engineer approving of the tender of Mr. Henderson for the lumber?—A. I saw the copy here but did not see the original.

Q. That is a copy prepared in this office?—A. Yes.

Q. So that the original is the same?—A. Yes, we have instructions to return the original to the department.

Q. Then, Henderson's tender was approved by the chief engineer before the 9th of December?—A. Yes, it was approved on the 6th of December.

Q. So that when the chief engineer, Mr. Schreiber, writes on the 23rd of December, 1892, to Mr. Parent a letter containing the following clause: "I am still more surprised that you should allow such a circular to be sent out as the one recently

issued by the superintendent (Kennedy) for tenders which specify neither the length nor the quality of the material (timber)," he had already some two weeks before, confirmed that tender and ordered a contract in accordance with it. Is not that so?

By Mr. Douglas :

Q. You must remember that Mr. Schreiber only initialled the tender for \$14,000, and a tender for \$8,000 only for spruce and spruce deals and cull deals instead of 3-inch pine plank?—A. I have read the correspondence and you can draw your own conclusions.

Q. The correspondence says he has?—A. You can draw your own conclusions. Q. The invitation for a tender referred to in the letter just quoted from Mr. Schreiber is the first document on C 15?—A. I never saw that in the office here before.

By Mr. Archibald :

Q. Do you know whether the chief engineer, Mr. Schreiber, received or knew of the form of the invitation for tender or who sent it out at the time that he accepted the Henderson tender as being the lowest upon the abstracts sent to him?—A. I do not believe Mr. Schreiber knew it.

Q. So that all that came to Mr. Schreiber was an abstract of the tenders from the Montreal office?—A. Yes.

Q. And Mr. Schreiber initialled as accepted the lowest from that abstract?—A. Decidedly.

Q. And you have no reason to believe he was aware whether Mr. Kennedy or Mr. Parent, or who sent out the invitation to tender, at the time he accepted?—A. No.

Q. I think you said this invitation to tender never came into this office?—A. As far as I can remember, it was never received here. I never saw it before until I saw it to-day.

Q. Where did this invitation come from?—A. It was found in my presence by Mr. Marceau, the acting superintending engineer, in Mr. Kennedy's office at lock No. 2.

Q. It was found by Mr. Marceau in your presence for the first time when?—A. Some time last month.

Q. After Mr. Kennedy's suspension?—A. Yes, it was between the 13th and 20th of May.

Mr. ARCHIBALD.—I propose to put in writing and file what information I should like to have so far as my client is concerned, namely:—

1st. The measurement and amount of each class of work actually done at the Curran bridge; 2nd, the amount of such work done on the Grand Trunk bridge; 3rd, the amount and description of the wood called for and used in the Curran bridge and a like statement with regard to the Grand Trunk bridge, the two last to include all temporary or false work connected with each bridge; 4th, a comparison of the amount of wood used, with the accounts of the wood contracted for; 5th, a statement showing the total cost of the Curran bridge and of the Grand Trunk bridge.

Mr. DOUGLAS.—That is pretty hard work. If you want a great portion of that, you will have to ask your client for it.

Mr. ARCHIBALD.—If you are of any use to the country, you can find out.

Mr. DOUGLAS.—We cannot find out what temporary bridges and platforms have been made and demolished, the amount of timber, the measurements and costs. We know nothing about it. The engineer has nothing to do with it. Mr. Kennedy was superintendent and had full control, and he says he would not allow any interference on the part of the engineer.

Mr. ARCHIBALD.—Call him and examine him.

Mr. DOUGLAS.—Mr. Kennedy will be called.

The commission adjourned until 4 p.m.

L. A. LESAGE, recalled.

By Mr. Emard :

Q. Do you know that William Kenny, Hugh Doheny, Thomas Pegnam, Hugh Quinlan and John Ryan were employed on the canal bridges?—A. Yes.

Q. On which bridge?—A. They were employed on the Wellington bridge and the Grand Trunk bridge.

Q. Which ones were employed on the Wellington bridge?—A. Mr. Martin Connolly and William Robinson were on the Wellington bridge; Robinson was paid \$5, and Conolly \$4. John Ryan was on the Wellington bridge, and was paid \$6. Quinlan was on the Wellington bridge and was paid \$5. Pegnam was also on the Wellington bridge and was paid \$5. Hugh Doheny was foreman of the stone measurers and he was paid \$5.

Q. How much did Mr. St. Louis get for him?—A. He got \$4, and he paid him \$5. William Kenny was also paid \$5, he was employed on the Wellington bridge.

Q. Did you see B. F. Mooney?—A. No, I did not see that name.

Q. Now, Mr. Trudel was on the Grand Trunk bridge?—A. Yes. His first name is Alphonse, he was getting \$3. He is not on this pay-list.

And further deponent said not.

S. A. ABBOTT, *Stenographer.*

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